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NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake, Ontario

No. 42

RECORDS OF NIAGARA
in the days of Commodore Grant
and
Lieut.-Governor Gore

1805 - 1811

Collected and Edited
by
BRIG. GENERAL E. A. CRUIKSHANK

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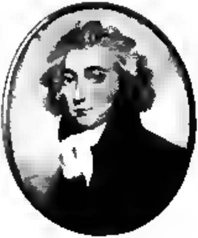

CAPTAIN WILLIAM CLAUS
Aged 27

Superintendent General
Indian Affairs
1805—1826

NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No 42

1805 - 1811

Collected and Edited
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Published by the
NIAGARA HISTORICAL SOCIETY
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RECORDS OF NIAGARA

1805 1811

The sudden death of Lieut. Governor Hunter at Quebec on 21st August, 1805, left the government of Upper Canada without a chief, as he had steadily refused to nominate an administrator during his absence in the Lower Province. News of his death was received at York about ten days later. When Simcoe applied for leave of absence on the 1st of December, 1795, he had recommended Hon. Peter Russell as the senior Executive Counsellor (not a Roman Catholic) for appointment as administrator and his recommendation had been approved. He called the members of the Council residing at York together at once, expecting to be recognized as president, but to his great surprise and disappointment found that Chief Justice Allcock announced his opinion that Alexander Grant, whose name preceded that of Russell in the list of Executive Councillors named in the royal instrument, was the senior, although Russell had taken the oath before him. The other members of the council concurred and Russell reluctantly assented but did not conceal his discontent at being required to act in a subordinate position to that which he had formerly held. As Grant was then senior naval officer on Lake Erie and lived at Amherstburg, a message was sent to him to come to York and administer the affairs of the province. When Hunter's death became known in England little time was lost in appointing Francis Gore, then governor of Bermuda, to succeed him as Lieutenant Governor of Upper Canada. His commission was dated on the 22nd of January, but he did not assume the administration until the 25th of August following.

Grant's term of office consequently lasted a little less than a year. He seems to have carefully consulted the council in all matters of the least importance and Russell generally took the chair as presiding councillor. The chief justice was soon after transferred to Lower Canada and Justice Thorpe, who had recently been transferred to Upper Canada from Prince Edward Island, began to intrigue and make complaints to the Colonial Office, stating that there was no governor, no general, no bishop, and no chief justice in the province, and owing to a "cabal" the Council had selected a man to act as administrator who did not appear to be the oldest member and was inefficient. Both he and Justice William Dummer Powell, who was his senior, applied for the vacant office of chief justice. There was a noticeable lack of good feeling amoung the chief officials. The following petition shows that the act regulating the sale of spirituous liquor had caused some local discontent.

THE PETITION OF LANTY SHANNON AND OTHERS

To the Honorable Provincial
Parliament of Upper Canada

We the subscribers, Inhabitants of the said Province and faithful subjects to His Majesty, and at all times ready and willing to support the operative laws in his Dominions and being possessed of that unalienable right of free men to make known to our law makers and rulers such grievances as we may think we labour under, do beg leave under mature consideration and confidence of the truth and propriety thereof, to most humbly suggest to Your Honors that the law of said Province prohibiting distillers selling any of their distilled liquors under three gallons is not so happily calculated as in our opinion may be for the general good of His Majesty's subjects, for many are under a necessity at times for some of that liquor but either for want of abilities or from principles of prudence are prevented from receiving those comforts of the country to which their hard labour entitles them.

We beg leave further to suggest that no detriment can accrue to the revenue by giving the distillers license to sell one gallon, as in our opinion few retailers or Inn keepers would have any objection to an alteration of said law.

The limits of this Petition will not give an opportunity to state all the reasons in support thereof, which will actually be in your possession.

We therefore most humbly pray that Your Honors would take this subject into your wise consideration and repeal said law in such a manner that the distillers may sell one gallon, or otherwise order and direct so that the law touching the same may be, as all laws should be, for the general benefit of the public weal, and as in duty bound we shall ever pray.

LANTY SHANNON, Inn Keeper
EZEKIEL WOODRUFF
SAM'L VAN WICK, Inn Keeper
JOHN FRALICK
his
JOHN X CAMP
mark
and fifty six others

The promoters of this petition were residents of the township of Stamford, of which Ezekiel Woodruff was clerk continuously from 1797 until 1819. This petition and the one following are undated but were read in the Legislative Assembly on the 12th February, 1805.

Another petition from residents of the townships near the head of Lake Ontario voiced what seems to be well founded dissatisfaction at the administration of the act for the improvement of public roads.

THE PETITION OF INHABITANTS OF THE DISTRICT OF NIAGARA

To the Honourable the Legislative Council and House
of Assembly for the Province of Upper Canada

Humbly prays,

That the Legislature may at their next meeting take into their serious consideration the laws respecting highways and roads throughout this Province and make such alterations or amendments to the same as to them in their wisdom may appear meet. Your Petitioners beg leave to intimate that under the existing law it is difficult to determine which are really and legally Highways, the Commissioners being frequently divided in opinion with respect to the construction to be put on said laws, and from the circumstance of the Justices of the Peace being all Commissioners of the Highways and Roads, and nothing mandatory or compulsory on them to act when required, and as it would be unfair that those gentlemen who do sacrifice much of their time to their duty as Justices should be forced to leave their homes for days in acting as Commissioners without an adequate allowance being made them for their trouble and expense, and as many of those gentlemen would probably not wish to act in the line of Commissioners.

Your Petitioners are therefore of the opinion that it would tend to the ease of the Inhabitants and the welfare of the District to have a certain number of disinterested persons to be

overseers or Commissioners of the Highways in each and every District, and that an allowance should be made them from the different District Treasurers to be raised by a tax for that immediate purpose, making it compulsory on them on all occasions when thereto required to lay out, alter or amend any road or roads throughout their respective District or Division. However, all this is submitted to the Honorable the Legislature for their consideration, which Your Petitioners pray may meet with due and mature deliberation.

And your Petitioners as in duty bound will ever pray
JOHN PETTIT
LEVI LEWIS
RICHARD GRIFFIN
WM. KENNEDY SMITH
and fifteen others.

John Pettit resided in Saltfleet, Richard Griffin in Grimsby and William Kennedy Smith in Blenheim. Levi Lewis was elected one of the members of the Legislative Assembly to represent the first riding of Lincoln and the county of Haldimand at the general election in 1808.

The removal of the offices of the provincial government from Niagara to York had diminished the importance of the town but it still continued to be the headquarters of the officers commanding the troops and Fort George was the principal military post in the province. From 1796 until the end of August, 1802, the garrisons of the frontier posts were furnished by the second battalion of the Royal Canadian Volunteers. They were then taken over by the 49th Regiment, commanded by Lieutenant-Colonel Brock, which a few years later was relieved by the 41st under Lieutenant-Colonel Henry Procter, succeeded in turn by the 100th, temporarily under command of Major Christopher Hamilton. William Claus had succeeded Alexander McKee as deputy superintendent general of Indian affairs and continued to reside at Niagara where councils with the Six Nations and Missassagas were sometimes held.

Small detachments of soldiers were stationed at Queenston, Chippawa and Fort Erie for the protection of stores and to conduct their transportation between the lakes.

Some letters from Hon. Robert Hamilton to his father-in-law, John Askin of Strabane near Sandwich, have been preserved and contain some information of historical interest.

FROM ROBERT HAMILTON TO JOHN ASKIN

Dear Sir

This will be handed to you by your Grandson Robert.

my eldest boy[1] now on his Way to Mackinac to spend a year and live with my kinsman Robert Dickson.

You Will perhaps be surprised at my sending my eldest son into that Country but the young Man Wishes it—And I do think the field a very fine and certainly a very large one for Mercantile Speculation—He may remain a few days at your place until a vessell shall sail for Mackinac and in directing him to make your house his head Quarters I am convinced I do not exceed in using freedom with you—

Mrs. Hamilton requests to join me in best respects to Mrs. Askin & all your pleasant family.

I am Dear Sir
yours very sincerely.
R HAMILTON

John Askin Esqr

Queenston May 16 1805.
(Askin Papers, Canadian Archives.)

The preface to a book rather cumbrously entitled "Travels through the Canadas, containing a Description of the Picturesque Scenery on some of the Rivers and Lakes, with an account of the Productions, Commerce, and Inhabitants of those Provinces to which is subjoined a Comparative View of the Manners and Customs of several of the Indian Nations of North and South America. By George Heriot, Deputy Post Master General of British North America. Illustrated with a Map and Numerous Engravings from Drawings made at the Several Places by the Author" is dated at Quebec on 26th August, 1806. His visit to Upper Canada appears to have been made about a year before and a handsome quarto edition of his book was published in London in 1807.

His description of what he saw of the Niagara District is fairly full and interesting as he was a careful observer.

"On the western bank, about a mile higher up, the British fort is situated on ground several feet higher than the last [Fort Niagara]. It is likewise constructed of earth and cedar pickets, and the buildings contained in it are executed with much neatness, taste and accommodation. On the border of the river, and beneath the fort, there are several buildings, consisting of store-houses and barracks, one of which is called Navy Hall, and is contiguous to a wharf, where vessels load and unload. A swamp in the vicinity becomes, at particular seasons, from the stagnated vapours exhaled from it, prejudicial to the health of those whose residence is by the river, and sometimes to that of the troops in the garrison. A plain, whose extent in every direction is nearly a mile, intervenes between the town of Niagara and Fort George, the name of the fortress already described. The houses are in general composed of wood, and have a neat and clean appearance; their present number may amount to near two hundred. The streets are spacious, and laid out at right angles to each other, so that the town when completed will be healthful and airy. On Missisague Point, which is on the west side of the mouth of the river, a light-house for the guidance of vessels which navigate the lake has lately been erected. Near this point white fish and black bass are caught in great numbers.

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[1] Born at Fort Niagara in 1787, member of the Legislative Assembly for the third riding of Lincoln 1820-1824, died in 1856.

"In proceeding from the town of Niagara to the southward, along the banks of the great river, many attractions combine to present pleasure and amusement to the mind of the observant traveller. The soil, the variety of situation, and the improvements of that part of the country, seem to surpass every impression which information alone might produce in its favour. The population is already considerable, and is rapidly augmenting. Families from the United States are daily coming into the province, bringing with them their stock and utensils of husbandry, in order to establish themselves on new lands, invited by the exuberance of the soil, the mildness of the government, and an almost total exemption from taxes. These people either purchase lands from the British subjects to whom they have been granted, or take them upon lease, paying the rent by a certain portion of the produce.

"Many families from the neighbouring states, who are wealthy, procure grants of their own, and taking the oaths of allegiance, become subjects of the crown of Great Britain.

Men born and educated in the northern states of America, are of the greatest utility to the settlement of a new country, as they are endowed with a spirit for adventure, activity, industry and perseverance, rarely to be equalled. Nor are they deficient in the power of inventive faculty, particularly when applied to mechanical objects. In travelling, the waggon is by many made to serve the end, not only of a house during the journey, but likewise of a vessel to cross the rivers which are not fordable. The seams of the body are secured against the admission of water, and when applied to the latter purpose, the wheels are taken off; it is conducted by rowing to the opposite shore, and the horses and cattle are made to follow it by swimming. The settlers who bring into the province the largest property in money and stock, generally come from the back parts of Virginia, and even from the Carolinas.

In the use of the axe the Americans display uncommon

dexterity, and hew down the largest trees of the forests with admirable address and expedition. Retaining no attachment for any particular situation, an American farmer, who is not of the first class, will sell his lands, after having cleared and brought them to a state of cultivation, if he can procure for them a reasonable profit for his toils. He then decamps, launches into the woods in quest of a new possession, and erects another habitation.

"The immense tracts of woods, filled with oak timber, which every where present themselves, are certain indications of the fertility of the soil. The common produce of the fields is, in general, from thirty to forty for one in wheat or any other grain; and portions of land which have, for upwards of sixteen successive years, yielded their harvest without the aid of manure, with forty to one, to reward the industry of the husbandman.

"The winters in this part of the country are inconsiderable, either for duration or severity; the snow seldom remains on the ground for a longer period than five or six weeks.

"About the year 1800, before the means of transport to the lower province became facilitated and improved, the inhabitants were at a loss to dispose of the produce of their farms. Since that period many thousand barrels of flour, quantities of salted beef and pork, butter and cheese, pot-ash, and numbers of live cattle, have annually been conveyed to Lower Canada, through the rapids and cascades of the Saint Lawrence, upon rafts of timber containing from five hundred to eight hundred barrels each, and upon scows, a superior species of raft constructed of plank, without receiving from the water any material injury. The conducting of that mode of transport, although at first difficult and unwieldy, has now become more familiar, and immense quantities of produce continue to flow every year into the lower province.

There are attached to settlements on the borders of the Saint Lawrence advantages of transport superior to those of any inland country in America. The soil is unquestionably of the first quality, and is sufficiently varied by swells and ridges to take off that sameness of effect which would result from a dead level country. Winter wheat is produced with the greatest certainty. The grain is heavier and more plump than any that is raised in the territories of the United States, except such as border upon this immense river. Grass is very natural to this country, and cattle fatten in summer upon the wild growth. Hemp and flax are produced in great perfection. The timber consists of oak, pine in all its varieties, sugar and curled maple, beech, basswood, hickory, black and white ash, mass fras, black and white birch, elm, walnut-tree, butternut-tree, cherry tree, and a variety of other woods.

"The winter season is employed by the farmer in making staves for casks, squaring timber, or preparing plank and boards, all of which may be disposed of to advantage in Montreal. In the spring the timber is formed into rafts, which are loaded with produce and conducted down the river with great certainty, at any period during the summer season, without the inconvenience of waiting for a freshet, or an increase of water by rains, which can have but small influence on so vast a body of water. This circumstance alone adds value to the establishments on its borders; for on all other rivers, except those of the first magnitude, they who mean to conduct rafts down their streams are compelled to be ready at the moment of a swell of the waters, and if they be so unfortunate as not to be prepared, an opportunity of carrying to market the productions of their farms becomes lost to them for the whole year; it likewise not infrequently happens with many rivers, that the spring freshets are not sufficiently high to render it safe to venture down them. The farmer on the Saint Lawrence is assured he can send a barrel of flour for four shillings, and a barrel of potash for eight shillings, to the ship which comes from Europe.

"In many branches of husbandry, the settlers of this country seem to display a superior degree of skill, and fields of corn are here to be seen as luxuriant and fine as in any part of the universe.

"The mode of commencing a settlement is by cutting down the smaller wood, and some of the large trees, collecting them into heaps and burning them. Some of the remaining trees are girdled, by cutting a groove all around through the bark, to impede the sap from mounting, and thus deprived of nourishment, the branches cease to grow, and the leaves decay and fall to the ground. After passing a harrow over the soil in order to turn it up, the grain is sown, the harrow is again used, and thus left without any further trouble, the newly-cleared ground yields a copious increase.

A stranger is here struck with sentiments of regret on viewing the numbers of fine oak trees which are daily consumed by fire, in preparing the lands for cultivation.

The houses, with few exceptions, are here constructed of wood, but with a degree of neatness and taste, for which we might look in vain among the more ancient settlements of the lower province.

The improvements of every description, in which for a few years past the province has been rapidly advancing, have in some situations, divested it of the appearance of a new-settled colony, and made it assume the garb of wealth, and of long-established culture. The roads in the settled part of the country are, in the summer season, remarkably fine; and two stage-coaches run daily between Niagara and Chippawa, or Fort Welland, a distance of eighteen miles.

The scenery from Niagara to Queenstown is highly pleasing, the road leading along the summit of the banks of one of the most magnificent rivers in the universe; and in ascending the mountain, which is rather a sudden elevation from one immense plain to another, where the river becomes lost to the view, the traveller proceeds through a forest of oak-trees, until he becomes surprised, and his attention is arrested by the falls presented to the eye through openings now cut in the woods, on the steep banks by which they are confined.

Queenstown is a neat and flourishing place, distinguished by the beauty and grandeur of its situation. Here all the merchandise and stores for the upper part of the province are landed from the vessels in which they have been conveyed from Kingston, and transported in waggons to Chippawa, a distance of ten miles, the falls, and the rapid and broken course of the river, rendering the navigation impracticable for that space. Between Niagara and Queenstown the river affords, in every part, a noble harbour for vessels, the water being deep, the stream not too powerful, the anchorage good, and the banks on either side of considerable altitude.

The mountain already noticed is formed by the land assuming a sudden acclivity of upwards of three hundred feet from one horizontal plain to another, and extends from east to west for a considerable way, the river holding its course through its centre, and cutting it asunder. The perpendicular banks on either side are near four hundred feet in height, from the level of the water below, to their summit. Their strata are similar, not only in altitude but in substance. A little way below the bank on which the town is placed, there is a spot rising about twenty feet from the side of the river, upon whose surface a quantity of stones is placed, which appears to have been deposited there for a series of years, and which have been evidently formed in currents of water.

Since the settlement of the country, the river has not been perceived to rise to that height. These circumstances seem to afford probable ground for conjecture, that the stream which now flows through the deep chasm of the mountain, did at some former period, throw itself from near the summit and after sweeping away the rocks and soil, form its present profound and rugged channel, extending upwards of nine miles from the precipice, whence the wide and stupendous flood continues now to fall.

"In tracing the course of the river higher up from Queenstown, many singular and romantic scenes are exhibited; the whirlpool, which is about four miles from that place, is a basin formed by the current in the midst of lofty precipices clothed with woods. Previous to its entering this bay, the stream drives with awful roar, its broken, interrupted waters over a sudden slope upwards of fifty feet in height, and thus proceeds foaming past the bed it afterwards takes, which being around the angle of a precipitous promontory, its weight and velocity oblige it to pass on, and to make the circuit of the basin before it can flow through that channel. It has apparently made an effort to break through the bank to the westward, but the rock was probably too solid. The strata to the northward were found more penetrable, and through these it has forced a passage. A tide rising to the height of two and a half feet, and again falling every minute, is observable all round the basin; this phenomenon may be produced by the impulse communicated to it from the torrent, which causes it alternately to swell, and to recoil from the beach.

"This gulph usually contains a quantity of floating timber, which continues to revolve in the eddy about once in half an hour, and will some times remain in this state for months, until it be drawn off by the current. At one particular part, all floating substances are made to rise on one end, after which they are swallowed down by the vortex, and for a time disappear.

The falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene, the most wonderful and awful which the habitable world presents. Nor can any drawing convey an adequate idea of the magnitude and depth of the precipitating waters. By the interposition of two islands, the river is separated into three falls, that of the Great Horse-shoe on the west or British side, so denominated from its form, and those of Fort Slausser and Montmorenci on the eastern or American side. The larger island is about four hundred yards in width, and the small island about ten yards. The three falls, with the islands, describe a crescent, and the river beneath becomes considerably contracted. The breadth of the whole at the pitch of the waters, including the curvatures which the violence of the current has produced in the Horse-shoe and in the American falls, may be estimated at a mile and a quarter, and the altitude of the Table Rock, from whence the precipitation commences, is one hundred and fifty feet.

Along the boundaries of the river, and behind the falls, the elevated and rocky banks are every where excavated by sulphureous springs, the vitriolic acid uniting with the limestone rock, and forming plaster of Paris, which is here and there scattered amid the masses of stone which compose the beach beneath.

"These excavations extend in many places to a distance of fifty feet underneath the summit of the bank.

"Casting the eye from the Table Rock into the basin beneath, the effect is awfully grand, magnificent, and sublime. No object intervening between the spectator and that profound abyss, he appears suspended in the atmosphere.

"The lofty banks and immense woods which environ this stupendous scene, the irresistible force, the rapidity of motion displayed by the rolling clouds of foam, the uncommon brilliancy and variety of colours and of shades, the ceaseless intumescence and swift agitation of the dashing waves below, the solemn and tremendous noise, with the volumes of vapour darting upwards into the air, which the simultaneous report and smoke of a thousand cannon could scarcely equal, irresistibly tend to impress the imagination with such a train of sublime sensations as few other combinations of natural objects are capable of producing, and which terror lest the treacherous rock crumble beneath the feet by no means contributes to diminish.

"The height of the descent of the rapids above the great fall is fifty-seven feet eleven inches. The distance of the commencement of the rapids above the pitch, measured by the side of the island, is one hundred and forty-eight feet; and the total altitude from the bottom of the falls to the top of the rapids is two hundred and seven feet. The projection of the extreme part of the Table Rock is fifty feet long [illegible]

"The large island extends up the river about three quarters of a mile, and the rapids between this and the western banks are much diversified. In one situation near the island there is a fall of about sixteen feet in height, the vapour from which is distinctly visible. Several small islands are formed towards the west side of the river.

From a settlement called Birch's Mills, on level ground below the bank, the rapids are displayed to great advantage; they dash from one rocky declivity to another, and hasten with foaming fury to the precipice. The bank along whose summit the carriage road extends, affords many rich, although partial views of the falls and rapids. They are from hence partly excluded from the eye by trees of different kinds, such as the oak, the ash, the beech, fir, sassafras, cedar, walnut, and tulip-trees.

About two miles further down the side of the river, at a situation called Bender's, an extensive and general prospect of the falls, with the rapids and islands, is at once developed to the eye of the spectator. On descending the bank, which in several places is precipitous and difficult, and on emerging from the woods at its base, a wonderful display of grand and stupendous objects is at once expanded to the view. From amid immense fragments of rock and lacerated trees, which have descended in the current of the waters, the eye is directed upwards toward the falls, that of Fort Slausser being on the left, and the Great Horse-shoe fall immediately in front. On the right is a lofty bank profusely covered with diversity of foliage, beyond which the naked excavated rock discloses itself. As the river here contracts to the breadth of about half a mile, the fall on the American side becomes nearest to the eye, and its waters tumble over a rock which appears to be perpendicular, and nearly in a straight line across to the island, the curvature being from the point now described not perceptible. The rock is, however, excavated, and at the pitch has been worn from the continued abrasion by the fall into a serrated shape, whence the masses of foam pour down in ridges which retain their shape from the summit to the bottom. Numbers of stones which have been torn away from the precipice, are accumulated through the whole extent below, and receive the weighty and refulgent clouds of broken waters, which again dash from thence into the basin.

The salient groups in which, with gradations almost regular, the tumbling waters are precipitated, excite the awe and admiration of the spectator; the eye follows with delight the masses of lustrous foam, varied by prismatic hues, and forming a wide and resplendent curtain.

About half a mile from hence, in descending the course of the river, and behind some trees which grow upon the lower bank, is placed the Indian ladder, composed of a tall cedar tree, whose boughs have been lopped off to within three inches of the trunk, and whose upper end is attached by a cord of bark to a living tree, the lower end is planted amid stones. It is upwards of forty feet in length, and trembles and bends under the weight of a person upon it. As this is the nearest way to the riverside, many people descend by the ladder, led either by curiosity, or for the purpose of spearing fish, which in the summer are found in great abundance in this vicinity.

"The spear in use is a fork with two or three prongs, with moving barbs, and fixed to a long handle. The fisherman takes possession of a prominent rock, from whence he watches for his prey, and when it approaches within his reach, he pierces it with his instrument, with an almost inevitable certainty.

"The village of Chippawa or Fort Welland, is situated on each side of a river of the same name, which here joins the Saint Lawrence. A wooden bridge is thrown across this stream, over which is the road leading to Fort Erie. The former fort consists only of a large block-house near the bridge, on the northern bank, surrounded by lofty pickets; it is usually the station of a subaltern officer and twenty-five men, who are principally engaged in conducting to Fort Erie the transport of stores for the service of the troops in the upper part of the province, and for the engineer and Indian departments. After being conveyed by land from Queenstown, the provisions and other articles are here embarked in batteaux.

There are in the village some mercantile store houses and two or three taverns. The waters of the Chippawa are always of a deep brown colour, and are very unwholesome if used for culinary purposes. They enter the Saint Lawrence about two miles above the falls, and although they be frequently broken, and rush into many rapids in their course thither, they seem obstinately to resist being mixed with the purer waters of that flood, and retain their colour in passing over the precipice. The foam produced in their precipitation is of a brownish hue, and forms the edge of the sheet which tumbles over the Table Rock. Their weight and the depth of the descent, mingle them effectually with the water in the basin beneath. The colour of the Chippawa is derived from that river passing over a level country, in many places swampy, and from quantities of decayed trees which tinge it with their bark. It is also impregnated with bituminous matter, which prevents it, until it has suffered the most violent agitation and separation of particles, from incorporating with the more transparent and uncorrupted stream of the Saint Lawrence.

Opposite to the village of Chippawa, the current becomes so powerful that no boat can be ventured into it without imminent danger of being swept away, and lost in the rapids. Between the village and the falls there are three mills, the lower for the manufacture of flour, the two upper mills which are next to each other, and adjoining the road, are for the purposes of sawing timber into boards, and for manufacturing iron. The latter scheme has hitherto failed of success: the logs for the saw mill are conveyed down the current to this situation in a very singular manner. They are cast upon the borders of the Chippawa, and floated down to its mouth, where a reservoir formed by a chain of log pens, is made to contain them. In proceeding downwards, in order to avoid being drawn into the vast vortex of the falls, small poles have been fixed together from the reservoir to the mill, floating at the distance of eighteen or twenty feet from the shores. They are retained in their places by poles projecting from the land; and thus the chain of poles, rising and falling with the waters and always floating on the surface, forms a species of canal, into which the logs are separately launched, and in this manner carried from the reservoir to the mill, a distance of more than a mile.

In the vicinity of the mill there is a spring of water, whose vapour is highly inflammable, and is emitted for a time with a considerable degree of force. If collected within a narrow compass, it is capable of supporting combustion for near twenty minutes, and of communicating to water placed over it in a small confined vessel, the degree of boiling temperature.

To those who are admirers of the picturesque beauties of Nature, it will be almost unnecessary to apologize for the prolixity of description with which the last communication was filled. The subject of the latter part of it, upon which we have already so long dwelt, is at once noble and unique. Let us therefore attempt to pursue it still further, although without the hope of being able to do it justice.

The Saint Lawrence at the confluence of the Chippawa is upwards of a league in width, and is passed to the opposite shore in boats or bateaux, about three quarters of a mile higher up than the village, and by the lower end of Navy island. The transport of goods by land to Fort Slausser, two miles above the east side of the falls, was formerly conducted from a place opposite to Queenstown. In passing through the cultivated grounds on this border of the river, immense mounds of earth, thrown up by multitudinous colonies of large black ants, are every where observable. The rapids on this branch of the river, although not so extensive, are nevertheless equally beautiful and romantic with those of the western branch. A spot at the distance of fifty yards from the pitch, affords a most advantageous and pleasing display of a scene, which in every point of view is accompanied with sublimity. Trees and rocks form the nearest objects, and between them and the islands a lovely picture is exhibited of broken rapids dashing over the slippery rocks, which are hidden beneath the foaming torrents. Amid the [illegible] of the pitch, a part of the American fall is developed to the view of the spectator, and the

Montmorency fall is exposed about half way down its depth; the other parts of the eastern fall are concealed, whilst a portion of the waters beneath becomes disclosed. The inequalities of the precipice which have been formed by the current, are here fully discoverable. Several small isles covered with woods appear near the central island and add to the variety of the scene, which foliage of diversified verdure, overtopped here and there by the towering cedar, contributes to enliven and to adorn. The Horse shoe fall beyond the whole, delights the mind with the rapidity of its movements, and the animated effulgence of its hues. From the station which we have now endeavoured to describe, is afforded the most perfect idea of the crescent formed by the three falls, the islands, and the Table Rock.

To descend the perpendicular cliff on the eastern bank is attended with difficulty, and with some degree of peril. Few of the roots and vines which formerly hung downwards from the trees, any longer remain. In descending the craggy steep the adventurer must cling to the rock with his hands and feet, moving onward with great caution. On his arrival at the base of the cliff he is struck by a development of scenery yet more awfully stupendous than that which had before been presented to his contemplation. Here nature agitated by the struggles of contending elements, assumes a majestic and tremendous wildness of form. Here terror seems to hold his habitation. Here brilliancy, profundity, motion, sound, and tumultuous fury, mingle throughout the scene. The waters appear to pour from the sky with such impetuosity that a portion is thrown back in clouds of vapour. The mind, expanded by the immensity and splendour of surrounding objects, is disposed to give vent to the sensations of awe and wonder by which it is impressed in ejaculations similar to that of the Psalmist of Israel 'Great and marvellous are thy works.'

The huge fragments of rock, which have been thrown from the summit of the precipice by the irresistible strength of the current, and which have fallen upon each other in towering heaps beneath, suggest to the imagination an idea of what may take place previous to the general consummation of this terrestrial scene, when ancient monuments of marble, under which princes of the earth have for ages slept, shall be burst asunder and torn up from their foundations.

Can so vast, so rapid, and so continual a waste of water never drain its sources? These are inexhaustible, and the body which throws itself down these cliffs, forms the sole discharge of four immense inland seas.

The effect produced by the cold of winter on these sheets of water, thus rapidly agitated, is at once singular and splendid. Icicles of great thickness and length are formed along the banks from the springs which flow over them. The sources impregnated with sulphur, which drain from the hollow of the rocks, are congealed into transparent blue columns. Cones are formed by the spray, particularly on the American side, which have in several places large fissures, disclosing the interior, composed of clusters of icicles, similar to the pipes of an organ. Some parts of the falls are consolidated into fluted columns, and the river above is seen partially frozen. The boughs of the trees in the surrounding woods are hung with purest icicles formed from the spray, and reflecting in every direction the rays of the sun, produce a variety of prismatic hues, and a lustre almost too refulgent to be long sustained by the powers of vision.

"That part of the Saint Lawrence, which is called the Niagara river, issues from the eastern extremity of Lake Erie, and discharges itself into Lake Ontario, at the end of thirty-six miles, after undergoing the most violent agitations through an interrupted and sinuous channel. At its commencement from the former, its breadth is not more than half a mile, but it becomes afterwards enlarged, and separated into two branches by an island fifteen miles in length. The current is powerful, and the navigation for vessels is rendered intricate by innumerable hidden rocks. In the vicinity of Navy island there are two smaller isles.

"The western bank between Chippawa and Lake Erie is almost entirely settled, and the road is level and in most places good. The Americans have on their side of the river a road extending from Fort Slausser to Buffalo creek, a settlement which contains several Indian and some white families. At a spot called the Black Rock, at the lower end of the rapids, a fort has been traced, and partly constructed, within the limits of the United States.

Lake Erie is near three hundred miles in length, and seven hundred and ten miles in circumference. It derives its name from the Erien or Cat, a native tribe which once dwelt on its borders. The landscape at the entrance exhibits a pleasing variety, consisting of water, points of land, level countries, and distant mountains. The coasts are cloathed with oak, ash, chestnut, apple, and cherry trees. The south east shore abounds in game and wild animals. The islands which it contains are Bass islands, Isle Bois blanc, Cunningham's island, East Sister, Grose isle, Middle island, Middle Sister, Point Pelee isle, Saint George's island, Ship island, Sandusky island, Turtle island, and West Sister.

"The old fort on the west side of the entrance into the lake, consists of no more than a few houses, a block-house of logs, with some habitations for commercial people, and one or two store-houses. A new stone fort, in the form of a quadrangle, is now constructing on rising ground behind the block-house. A company of soldiers is usually stationed here, and the men are chiefly employed in assisting to conduct the transport of stores. Two vessels in the service of the British government are used in navigating this lake.

"The bottom of the lake consists of lime-stone rock of a bluish colour, with which are mingled many petrified substances, animal as well as vegetable. The lake is much exposed at its northern extremity to gales of wind which occasion its waters to rise to a very considerable height. Vessels are at these periods in some danger of being driven ashore, their cables being often cut asunder by the sharp-pointed flinty edges of the rocks which compose the anchorage.

"At ten miles and a half from the fort, in pursuing the northern coast, is found a promontory which advances into the water about three hundred and fifty yards, and is named Pointe à Beneau, or Abino, affording for vessels a safe anchorage in its neighbourhood. From hence to the grand river is twenty-four miles; a hill in the form of a sugar loaf intervenes, and presents a good land-mark. The townships in the vicinity are rapidly advancing in population and improvements, and several water-mills have been constructed. The Chenette, or river Waveney, is eighteen miles more to the westward, and Pointe à la Biche, now Turkey Point, lies about fourteen miles further along the coast. In the townships of Woodhouse and Charlotteville, which are situated on that part of the lake, there is a considerable extent of country thinly timbered, whose cultivation is facilitated from the want of underwood. It exhibits more the appearance of a royal forest in Europe than that of an American wilderness." pp. 150-175

The observations of another traveller, who arrived soon after, are not less instructive from a different point of view.

Robert Sutcliff, a Quaker merchant residing in Sheffield, England, made a prolonged visit to North America in 1804, 1805 and 1806 on commercial affairs. He resided for several months in Philadelphia and travelled extensively in the States of New Jersey, New York, Maryland and Virginia. During this time he kept a careful journal without any thought of publication, which was eventually edited and printed for a friend, W. Alexander, at York in 1811, and has become a rare book. In the fall of 1805 he made a leisurely journey through

New York and entered Upper Canada by way of Batavia and Buffalo, apparently with the object of seeing Niagara Falls:

"11th Month 30th. After breakfasting at Buffalo Town," he wrote, "I crossed the Rapids, about three miles below Lake Erie. These Rapids are a very considerable River being at this place nearly one mile over, and conveying a vast body of water, which passes in its course from Lake Erie to Lake Ontario. I observed, as I rode along, a number of large fishes that were thrown on shore, and saw many ravens hovering about and devouring them. In travelling upon the banks of the Rapids, for many miles, the roaring of the Falls is heard resembling distant thunder. Being in Upper Canada, which is under our own government, it felt to me something like being in England and occasioned a pleasing sensation. Here I observed a number of good farm houses, the pastures and wheat looked remarkably fresh and green, and a large fine herd of cattle were grazing in the fields. In conversation I found that many of the inhabitants are of German or French descent. In the afternoon I came to Fanning's[1] Tavern at Chippaway, a town on the Creek of that name. Here is a block house fortification, at which an English garrison is stationed. From the windows of the tavern, clouds of mist are seen rising from the Falls, and the noise of them is so loud, that a person seems to be close upon them, although they are nearly three miles distant. I was informed by several of Fanning's family, that the concussion occasioned by the descent of so large a body of water is such, that on a still summer's evening, a constant tremor of the earth is perceptible, and the loose glass in the windows is so shaken as to produce considerable noise.

12th Month, 1st. I lodged last night at Fanning's Tavern, where I had as good accommodation as could be desired. In this family I met with a young man[2] who had his education in our society,[3] and is a commissioner or surveyor under the English government, for the disposal of lands to new settlers. This young man kindly offered me his company and assistance, in visiting the curiosities in this neighbourhood. However it being first day,[4] and there being no meeting near, I preferred spending the forenoon alone. Therefore immediately after breakfast I walked down to the Falls by myself, the tremendous noise, with the volumes of spray and mist arising from them, being a sufficient guide to the spot. The first view of this wonderful cataract is from the principal road, which, though not the most complete, is perhaps as beautiful as any; but being from a situation which is level with the river above the Falls, a considerable part of the cataract is hid from the eye. After taking a circuit of about a mile, the path leads down a steep precipice, which is descended with considerable difficulty, and not without the aid of a long ladder, placed there by a neighbouring planter, as well for his own convenience as for that of strangers. Immediately below the cataract, the river is confined between two steep rocks that form a deep winding valley, through which the waters flow in their course towards Lake Ontario. This valley is terminated by a perpendicular rock of 53 yards in height, which runs across, forming an angle pointing up the river, over which the vast body of water precipitates itself with astonishing rapidity, and with a noise so tremendous that it can scarcely be described. On the top of the rock is a small island, which divides the cataract into two parts, and in such a manner that the greatest part of the water pours over the rocks at the extreme head of the valley, and the rest on one side of it. A little above, opposite Chippaway, the river is two miles over; but directly above the falls it narrows to about a mile in breadth. I was informed by Joseph Ellicott[1] and his brother, at whose house I lodged, that they had twice measured the falls, and found them to be 158 feet in height, and about 1400 yards in width from the opposite edges of the river.* I was told by the ferryman, that about 15 miles above the Falls the river was nearly one mile in width, and that, in the middle, it was 40 feet in depth, and, in common, the stream ran at the rate of six miles in the hour. If this be really the case, and I have no cause to doubt it, the quantity of water passing over the Falls, and continually suspended between the top and bottom, may be more than 400,000 tons. If the additional weight and velocity gained by a fall of 158 feet be added, the weight of these prodigious streams of water would exceed three millions of tons. Such an enormous specific gravity falling at once into the gulf below, may bring the account of the Falls being heard, under favourable circumstances, at the distance of 40 or 50 miles, within the limits of credibility.

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[1] John Fanning. [2] Probably Malcolm Burwell. [3] The Society of Friends or Quakers. [4] Sunday.

Having reached the bottom of the precipice, and approached as near to the cataract as I could with apparent safety, I sat down, and spent about two hours in contemplating this astonishing natural curiosity, which is said to be the greatest cataract in the world. The tremendous roar arising from the Falls, added to the awful sublimity of the spectacle of such an uncommon body of water rushing headlong from the rock with the beautiful surrounding perspective altogether form a scene which it is impossible to describe. As the morning was bright and clear, a beautiful rainbow was constantly observable in the clouds of mist and spray that are constantly rising from the water below. Here I held my forenoon meeting, and though no words were uttered, it could scarcely be called a silent meeting, the objects before me loudly proclaiming the power and majesty of the Great First Cause and Creator of all things.

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[1] A noted surveyor in the State of New York.

* Note. This includes both Falls and the intervening Island, which is about 110 yards over.

"In the afternoon I returned to the inn, and, after dinner was invited by the commanding officer of the English garrison to drink tea with him, and his wife and family, in the fort. I accepted his invitation, and spent the evening with them very pleasantly. This officer (whose name is Tallent[1]) had spent some time in Sheffield, a few years back, and had married his wife at Liverpool; she is an agreeable young woman, and well acquainted with some friends[2] of Liverpool. They had a fine child with them, and upon the whole seemed happier than could be expected in such a situation. They behaved with great kindness to me, and it appeared a gratification to them to entertain an Englishman.

"12th Month, 2d. This morning I had the company of W. S.,[3] a minister of our society, belonging to Pelham monthly meeting, in this neighbourhood. He kindly invited me to his house, to spend a few days with him, but I could not conveniently accept his invitation. In the forenoon I paid another visit to the Falls, and it being a dark cloudy day, the whole view had a more gloomy and solemn aspect. There being none of the glare and glitter of the sunshine, the eye could rest steadily upon it, and, having a pencil and paper with me, I took a sketch of the scene.

In the evening I came to D. P.,[4] of Black Creek meeting, at whose house I lodged. This is a pleasant situation on the banks of Lake Erie, and D. P.'s establishment presents an agreeable specimen of a Back Wood family. In the room where we breakfasted was a loom for weaving, in another apartment were spinning wheels, and some of the girls actively platting straw and making it into hats and bonnets for the family. In addition to our tea and toast we had excellent broiled fish taken in the Lake, where they easily procure great quantities. These persons were so situated that, in their own family, they had the means of procuring nearly all the necessaries, and even many of the luxuries of life. It was a very beautiful sight to see ten fine orderly children sitting round the table with their father and mother, who were still in the prime of life, and living independently of the uncertainties of commerce. The eldest daughter appeared to be about 16 years old. One of the sons, who was but a boy, entertained me with an account of his having lately killed a bear, as it was in pursuit of his father's hogs. The English government, in order to encourage the settlement of Upper Canada, grant to new settlers 200 acres of land, and 50 acres additional for each child, reserving to the crown the minerals and the white pine. D. P. gave me the perusal of his grants, from which I gathered the conditions. Some little expense attends the grants in the fees of office, though but trifling, and their taxes amount to a very small sum per annum for each 100 acres.

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[1] Captain Joseph Tallon of the 41st Regiment, who afterwards was distinguished at the capture of Detroit and the attack on the River Raisin, when he was wounded. [2] Quakers. [3] Perhaps a clerical error for W. L. William Lundy was a leading Quaker in Stamford at this time.

[4] Probably Daniel Pound of Bertie; see Papers and Records of Ontario Historical Society XXVI, p. 273. He brought his children with him into Upper Canada in 1789, and the others had been born in the province.

12th Month, 3d. I left Black Creek, and the morning being clear and calm, the scenery around was beautiful. After riding about 10 miles on the banks of Lake Erie, I came to Fort Erie, where I got some refreshment at the inn, and proceeding a little further I got into the ferry-boat, in company with an old drunken Indian, and his squaw. These poor creatures I had seen the morning before, at the inn, endeavouring to persuade Fenning, the landlord, to exchange spirituous liquors for a piece of printed calico, which the Indian had received as a present from the agent of the British Government in Canada. I was glad to observe that Fenning had the uprightness to refuse taking advantage of this poor creature, which he might easily have done, as the Indian was then in a state of intoxication, and scarcely able to utter anything but "Whisko," the name he gave to spirits. I was told in Canada, that many thousand pounds per annum are expended in presents to the Indians to ensure their friendship in time of war, and that the greater part of these presents are exchanged for spirituous liquors, which they use to great excess, many times to the loss of their lives, and always at the expense of their health. (Pp. 152-155.)

Joseph Brant, who had quarrelled with Colonel William Claus, superintendent of the affairs of the Six Nations at the Grand River, and had been deposed from his position as their representative at a general meeting of the chiefs and principal warriors at Buffalo Creek at the end of March, 1805, which he had declined to attend, voiced his discontent and resentment by an appeal to the provincial parliament.

To the Honorable the Commons House of Assembly
in Parliament Assembled &c. &c.

THE PETITION OF CAPTAIN JOSEPH BRANT

Respectfully sheweth

That in the year 1775, when the war between Great Britain and her Colonies had commenced, the Mohawk Nation, always faithful to the cause of the King, took a decided and active part, and leaving their families to the mercy of the enemy brought off the Indian Department through a hostile country into Canada, where their conduct was highly approved by Sir Guy Carleton, who, in a public council with the Indians desired them to take up the hatchet and defend their rights; he then solemnly engaged that we should be remunerated for any losses we might sustain during the war.

Some years after, when it was foreseen that the contest was likely to take an unfavorable turn, we stated our situation to the late Sir Frederick Haldimand, then Governor and Commander-in-Chief, and requested a confirmation of General Carleton's promise, by which it was understood that the Indians who had lost their lands should receive an equivalent in this country, and at all events have them as fully confirmed as those they were possessed of before the war, and the grant which we afterwards obtained is now before your Honorable House.

The lands thus granted, although from the quantity and situation by no means an equivalent for our losses, we cheerfully accepted, in full confidence that they should be our own property, at least as much so as those we had sacrificed by joining the British Standard at the commencement of the war.

After thus obtaining those lands, which are delineated on the map, which is also before Your Honorable House, we, with the approbation of General Haldimand, settled some white families on the tract (many of whom had served with us) for the purpose of making roads and teaching our people the benefit of agriculture &c. I am sorry to say that our grievances commenced upon the establishment of the present Government of Upper Canada, by whom it was contemplated to curtail us of a great part of this tract.

Considering ourselves under the protection of his Majesty it becomes a duty we owe to ourselves and our posterity candidly to state the difficulties we labour under. Divisions have been fomented amongst the Indians by Mr. Claus, the Deputy Superintendent, which may lead to serious consequences. He has taken the most unjustifiable means to destroy our former trans actions, for which purpose he brought a party of Senecas from Buffalo Creek, to whom he dictated a paper purporting to make void all we had done respecting the lands in question; although he must have known that these Indians who live within the limits of the United States have, in their present situation, no right to interfere in the disposal of our lands. This will appear by referring to General Haldimand's grant.

We cannot see what interest it can be to the Government to tie our hands in regard to the disposal of our own property, or that Mr. Claus, through the means he has in his power, should disunite us.

That a small spot of ground of so little consequence to the British Nation should become a matter of contention, we cannot suppose to be their intention, but if, unfortunately for us, this should be the case, and if ever that small tract is considered as too large for the former services and losses of the Indians, in God's name let them confirm the one half.

We are aware that all representations of this nature should come through the Indian Department, but as they have long since ceased from paying attention to our complaints, we are under the necessity of appealing to your Honorable House in hopes of obtaining relief through such means as you in your wisdom shall see fit.

In behalf of the Indians,

JOSEPH BRANT,
Agent

York, 14th February, 1806.

This petition was read in the Assembly on Saturday, February 22, and Benajah Mallory, the member for Norfolk and Oxford, at once gave notice of a motion to consider it in committee of the whole House on the Wednesday following. It does not appear that he was entirely disinterested in this action, as he had leased fourteen hundred acres of their reserve from the Indians, with the intention of smelting bog iron ore, which was believed to be found upon it in considerable quantities. It was debated in committee on the day named and the next, when a report that "the prayer of the said Petition was entitled to a further consideration, and that it be recommended to the House to take it into consideration early in the next Session of Parliament," was adopted. But when parliament again met the petitioner was dead.

A very daring case of housebreaking and robbery caused considerable alarm and excitement and was brought to the attention of the executive government by a report from an influential local magistrate.

FROM ROBERT HAMILTON TO ALEXANDER GRANT

Dear Sir

It is with much Concern that I report to you a most atrocious Burglary allmost accompanied with Murder, in the case of Isaac Swayzey Esq the Collector of the public duties in this district & of the assessments of this Township.—

On Saturday night the 25th Inst about Eleven oClock soon after the family had gone to sleep, the front door of his house was violently forced off the hinges, the lock broken, & the door laid on the floor—

Mr Swayzey alone lay in the lower Room to which this door immediately opened, and suddenly awakened by the noise he had hardly time to spring from the Bed when he was Violently assaulted by a Stout Man drest in a Blanket Coat, with Mocassins, & his face Blacked — With this Man he seems to have had a Violent Struggle, & several Blows were given on each side—Mr Swayzes face Neck & body are much bruised and he thinks that having had a fair stroke at his Adversarys face with a Chair he cannot have failed to leave the mark of the blow there —During this scuffle two other Men nearly drest as the other, as far as Mr S. could distinguish, but apparently younger or at least smaller, were employed in breaking open a Chest of drawers which stood nearly Adjoining to the door—This they seem to have effected by the stroke of an Ax on the sloping Cover or door of the desk which was split and broken into two or three pieces Three Bags of Money as Mr Swayzey states stood in the front of the desk, these were taken away from one which was open some pieces of silver were scattered on the floor — The Struggle between Swayzey and the first Man still continued — he now however received a stroke on the hind part of the head from one of the others — which he apprehended was with a Sword but the appearance of the Wound rather indicated the back of an Ax or some other Blunt Weapon The three Men Immediately made off without having spoken a word during the whole affair — Three Women were only in the house at the time — A man & a boy who usually sleep there had that afternoon gone to the Mill & did not get back till about one oClock in the Morning — The Women sleeped up stairs in a Room the door of which at the foot of the stairs passed from Mr Swayzeys Room They say that they were forcibly detained in that Room or on the stair by the door being shut or held fast against them — On their getting out the Men were gone & none of them were either seen or heard by the women further than in the Struggle in which they could only distinguish Mr S—s voice. —

Two Magistrates myself & Doctor Kerr soon happened to be on the Spott soon after the affair happened. We Met next Morning with the other Magistrates & most of the Respectable Inhabitants, and from all the Circumstances we were led to conclude that the *perpetrators were well acquainted with Mr Swayzey's house & the habits of his family* —We proceeded Accordingly to search all suspected places. & to examine such suspicious Characters as we could think of but without Success or any Clue by which to guide our enquiry —

The Manner in which this affair has been Conducted, precludes the hope of finding positive Evidence to Convict the perpetrators — Circumstances such as the Mark on the face before mentioned, may perhaps lead to discovery. And the Evidence of an Accomplice may perhaps be obtained by a promise of Pardon & the hope of Reward — It rests therefore Sir with you as president & with the Wisdom of Council to Determine how far this or a Proclamation may be proper or expedient. —

We do not doubt but that you will see the Necessity of using every possible means to detect such dangerous Villany and deter such daring offenders to whose Machinations the Country in its present State is so peculiarly exposed —

I am happy to Report that Mr Swayzeys life is not thought in Danger — I have not heard the Amount of his loss ascertained.

With sincere Respect
I am Sir &c

R Hamilton.

The Honble
Alexander Grant President &c. &c &c

Queenston 28th Jany 1806

(Sundries U C 1806)

After due consideration by a committee of the Executive Council the President was advised to offer a reward for information leading to the conviction of the offenders.

PROCLAMATION

ALEXANDER GRANT Esquire *President Administering the Government of the Province of Upper Canada &c &c &c*

To all whom it may concern — GREETING

WHEREAS a most daring Assault and Burglary were committed on the Person and in the dwelling House of ISAAC

SWAYZE Esquire, in the Township and District of Niagara, by certain persons in disguise and unknown, on the night of the twenty eighth day of January last past, by violently assaulting, wounding and bruising the said Isaac Swayze, and by breaking open and feloniously taking and carrying away large sums of Money from his said dwelling House. NOW KNOW YE, to the intent that such heinous Crimes may not go unpunished, and that the Persons and Property of his Majesty's Subjects in this part of his Dominions may be secure under the protection of the law, I ALEXANDER GRANT Esquire President, administering the Government of the Province of Upper Canada as aforesaid Do, by and with the advice of the Executive Council of the said Province, hereby offer a Reward of SIX HUNDRED DOLLARS to any person or persons who shall make such discovery and give such information, so that the perpetrator or perpetrators of the said crime or crimes shall be convicted of the same. And I do hereby further, offer his Majesty's most gracious Pardon to such person or persons as may be accessary or accessaries to the commission of the said crime or crimes, who shall honestly and without fraud discover the principal or principals who hath or have committed the same.

GIVEN under my Hand and Seal at Arms, at York, this eighteenth day of February in the year of our Lord one thousand eight hundred and six, and forty-sixth year of his Majesty's Reign.

ALEXANDER GRANT, President.

By his Honor's Command.

WM. JARVIS, Secretary

A letter from the clerk of the peace to the private secretary of the administrator throws a curious light on the uncertainty of mail delivery and the considerable cost of postage.

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 8th Mrch 1806

Sir

Your letter and packet of the 25th January 1805 (sic) I yesterday received, have Eight pence Currency postage to Pay on the same — as the Clerks of the Peace have no allowance for Postage or for any other business done by them — it may perhaps be as well in future to pay the Postage at the Office at York and not keep the expense upon the Clerks — although trifling as Eight pence may appear at the Capital yet it is something to a Clerk of the peace with a large family at Niagara — I only [send] you the Out side Covers in order that you may see the post Mark 27th Jany 1805

I have the Honor to be &c.

RALPH CLENCH

Wm. Stanton Esq

Chief Clerk President Office
York

(Sundries Upper Canada 1806)

Under the existing militia act the responsibility for the local organization of regiments and authority to recommend the appointment of officers was vested in the lieutenant of the county who naturally endeavoured to secure the services of the most energetic and influential residents in the several townships.

FROM HON ROBERT HAMILTON TO HON ALEXANDER GRANT

Sir

In consequence of some dissatisfaction and Inconvenience having arisen in the Militia of this County owing to the establishment of a Corps of Artillery which tho recommended & approved of by General Simcoe while Lieut. Governor is not Authorized by the Statute of the Province I have been induced to alter the System and to bring the whole body of the Militia into the general Line

This Alteration, with the several Vacancies that have lately occurred require a Promotion and new Appointment of Officers, a list of Which I have now the Honor to submit for your Inspection and for your Sanction by Signature if approven of — I take the liberty to request that this may be sent back by the first Opportunity as I am Anxious to have the Officers of the three Regiments in orders by the fourth of June

With Sincere Respect

I am Sir &c

R. HAMILTON

Lieut County Lincoln

To his honor

Alexander Grant Esquire
President of the Province
of U C

Queenston April 28 1806

PROMOTIONS IN THE LINCOLN MILATIA

Lieut Colonel Ralfe Clench	to be	Colonel
Major Robert Kerr	to be	Lieut. Colonel
Major Johnson Buttler	to be	Lieut Colonel
Captain David Secord	to be	Major
Captain James Muirhead	to be	Major
Captain John Mackey	to be	Major
Lieut George Lawe	to be	Captain
Lieutenan William Robertson	to be	Captain
Lieutenant John Powell	to be	Captain
Lieutenant George Turney	to be	Captain
Lieutenant John Crysler	to be	Captain
Lieutenant James McLean	to be	Captain
Lieutenant James Secord	to be	Captain
Lieutenant Daniel House	to be	Captain
Lieutenant James Dawdy	to be	Captain
Ensign George Read	to be	Lieutenant
Ensign Gilbert Fields	to be	Lieutenant
Ensign Martin McClellan	to be	Lieutenant
Ensign Henry Smith	to be	Lieutenant
Ensign Latham Stole	to be	Lieutenant
Ensign Nicholas Smith	to be	Lieutenant
Ensign Frederick Markle	to be	Lieutenant
Ensign David Bastedo	to be	Lieutenant
Ensign George Keefer	to be	Lieutenant
Ensign Jacob Bean	to be	Lieutenant
Ensign Peter Moore	to be	Lieutenant
Ensign Henry Hixon	to be	Lieutenant
Ensign Joseph Smith	to be	Lieutenant
Ensign Ralph Walker	to be	Lieutenant
Serjeant William Wallace	to be	Lieutenant
Serjean William Dorman	to be	Lieutenant
John Secord Gentleman	to be	Ensign
George Hamilton Gent	to be	Ensign
George A Ball Gent	to be	Ensign
John Servos Gent	to be	Ensign
Henry Pawling Gent	to be	Ensign
William Servos Gent	to be	Ensign
James Haner Gent	to be	Ensign
Simeone Stevenson Gent	to be	Ensign

Elijah Secord Gent	to be	Ensign
Serjeant Robert Brooks	to be	Ensign
Serjeant Christopher Buckner	to be	Ensign
John Cooke Gent	to be	Ensign
John C Ball Gent	to be	Ensign
John MacMicking Gent	to be	Ensign
Anthony Upper Gent	to be	Ensign
Lewis Clement Gent	to be	Ensign
Serjeant Benjamin Smith	to be	Ensign
Serjeant Joseph Snyder	to be	Ensign
John Henry Gent	to be	Ensign
Robert Pettit Gent	to be	Ensign
William Hill Gent	to be	Ensign
Henry Neller Gent	to be	Ensign
Alexander Cameron Gent	to be	Ensign
John Clark Gent	to be	Ensign
Andrew Rorback Gent	to be	Ensign
John I Taylor Gent	to be	Ensign
Daniel Secord Gent	to be	Ensign

The above List will compleat the Eastern Regiment of the 1st Riding and the Regiments of the 2nd and 3d Ridings of Militia of the County of Lincoln

Thomas Clark Esquire Deputy Lieutenant for the Middle Riding of the District of Niagara

The foregoing List of Officers will complete Three Regiments of the Militia of Lincoln and is presented to His Honor the President of the Province and his Approbation is requested by

his most Obedient and
very humble Servant

(Signed) R. HAMILTON
Lieutenant County Lincoln

Queenston April 28th 1806
York 7 May 1806

Approved

(Signed) ALEXR GRANT
President

(Sundries, Upper Canada, 1806)

An effort to compile an estimate of the population of the province met with scanty success owing to the neglect of the township clerks to comply with a recent provincial act

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 20th May 1806

Sir

Yours of the 1st instant I this day Received and regret much that I have it not in my power to comply with the Presidents Commands. The Town Clerks (a very few indeed excepted) have never yet sent into the Office any annual Acct whatever, not more than three or four Townships have been received for Many years past, and but One of those (Niagara) agreeable to the Statute

I have the Honor to be Sir

RALFE CLENCH
Clerk of the Peace.

Endorsed.—From R. CLENCH
regrets that it is not
in his power to send
an abstract of the
Population

(Sundries Upper Canada, 1806)

A letter to John Askin, from his grandson, William Robertson, then a merchant at Queenston, written at that place on 9th October, 1806[1], contains a hasty reference to the fatal duel between William Dickson and William Weeks, of which he had just been informed.

Ill news travels fast — since writing the above I have heard that Mr. Weeks has been mortally wounded in a duel by Mr. W. Dickson. Major or Capt. Hunt[2] who was up with you and by the by is said to be a great scoundrel is supposed to be at the bottom of it. Judge Thorp also appears much blamed. The parties fought on the American side, the first Shot took effect & passed through Mr. Weeks' body from the right to the left side but Mr. Dickson is not blamed. Mr. Weeks is much lamented by his friends and every one else.

(Askin Papers, Dominion Archives.)

The controversy in court between Dickson and Weekes was described in a letter from Hon. Robert Hamilton and Joseph

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[1] It has been stated that this duel was fought on October 10, which is apparently an error. The entry recording his burial in the register of St. Mark's church is dated October 7.

[2] Probably Henry Jackson Hunt, afterwards a member of the Bench.

Edwards, who were sitting as assessors with Mr. Justice Thorpe at the time, addressed to the Lieutenant Governor, which is undated, but evidently written very soon after it took place.

"Sir,

The very extraordinary circumstances which have occurred at the last assizes for this District and which have unfortunately led to the death of a Member of the Society, we think it our duty, as we had the honour to be associated on the bench with Mr. Justice Thorpe, to state to your Excellency. In a case in which Mr. Weekes the Attorney was employed, he took opportunity while addressing the Court to introduce the character of our worthy late Governor, Lieut. General Hunter, the Chief Justice Mr. Allcock, and several others of the most respectable characters in the Government of this Province, and to rail against them with the utmost degree of asperity. General Hunter he stigmatized with the epithet of 'Gothic Barbarian whom the providence of God had removed from this world for his tyranny and iniquity.'

He stated Mr. Chief Justice Allcock as having a personal animosity against his present client and as having been the cause of the Indictment being preferred, and attempted to turn his character to ridicule by relating idle stories equally (as we believe) groundless and malevolent.

"The presiding Judge sat with the greatest composure to hear this abuse, tho' totally irrelevant to the cause then before him; if he did not applaud, he certainly shewed no sensible signs of disapprobation.

"We his associates indignant at this indecent conduct from the Bar and at the apathy in the Judge, would have left the Bench to shew our resentment, had not respect for the Court detained us, resolving however most determinedly never to be exposed to the like again, by declining this and all other duty with this Judge. Mr. Justice Thorpe had the day before requested the early attendance of the person whose signature is first to this paper, assigning as a reason that he understood a very elaborate argument was to be given by Mr. Weekes. As the argument produced was elaborate only in malice and misrepresentations, we are tempted to believe that the Judge if not aiding in the falsification, was certainly previously acquainted with the matter it contained, and that it was not delivered without his privity and probable consent.

"Your Excellency has doubtless been informed that this Mr. Weekes has since fallen a sacrifice to his malice and obstinacy; here too we fear the interference of the Judge, or of his party, operated in forwarding the melancholy event. We are assured that for some time after Mr Dickson's replication to this speech in which he warmly reprobated such language as disrespectful in the highest degree to a Court of Justice and most probably arising from private malevolence and the rancour in the speaker's mind, Mr Weekes shewed no signs of particular resentment to Mr Dickson, that he even had left Niagara on his return to York and unexpectedly returned the following morning and gave a challenge from which no reasonable explanation could induce him to recede. We have strong reasons for thinking from the conversation of this Party that perhaps some rash promise given when warm produced that obstinacy which proved fatal to him.

In the above statement we have carefully recited facts to the best of our recollection. In matters of opinion we have to request you to excuse what may appear erroneous.

And we are with sincere respect

Your Excellency's most obedient and
very humble servants

R. HAMILTON
JOSEPH EDWARDS.

(Colonial Office Records, Vol. 308 pp. 83 85.)

Isaac Swayze, who then in conjunction with Ralfe Clench represented the second, third, and fourth ridings of the county of Lincoln in Legislative Assembly, endeavoured to obtain reimbursement for the loss he declared he had sustained by the recent robbery of his house, in connection with which it does not appear that any arrest had been made.

THE PETITION OF ISAAC SWAZEY

To the Honorable the Commons House of Assembly of the Province of Upper Canada in Parliament assembled.

The Petition of Isaac Swazey, Inspector for the District of Niagara.

Humbly Sheweth

That Your Petitioner has been commissioned Inspector of Licenses for the District of Niagara. That in consequence of the power vested in him by law he collected a considerable sum of money for Duties on Licenses issued 5th January 1806.

That on the night of the twenty eighth day of January 1806 his House was broken open and he was robbed of large sums of money of his own private property and the public. That amongst the said money was the sum of One Hundred and Seventy Eight Pounds, Five Shillings and Eightpence Farthing, Provincial currency, collected on account of Duties on Shop, Tavern and Still Licenses ending the said 5th January 1806.

Your Petitioner presumes he has always been punctual in his payments, and diligent in the discharge of his duty as Inspector, and he believes he will be able to prove to the Honorable House that the said sum was not lost by any negligence on his part.

Wherefore Your Petitioner prays that the House will take his case into consideration and grant such relief as they in their wisdom shall think meet, and Your Petitioner as in duty bound, will ever pray.

(Signed) ISAAC SWAZEY

York 19th February 1807.

A bill was introduced for his relief which was read a first and second time and referred to a committee of the whole House which reported that further consideration should be postponed until the first week of the next ensuing session, which on a division was carried by a majority of five votes, fifteen members voting. Mr. Swazey was then permitted to withdraw his petition with the affidavits annexed to it.

Many of the duties which in later years devolved upon the county councils were then in the hands of the magistrates assembled in quarter sessions, whose powers were limited by a provincial statute restricting their expenditure.

THE PETITION OF MAGISTRATES AND OTHER INHABITANTS OF THE NIAGARA DISTRICT

To the Honorable the Speaker and Members of the House of Assembly at York:—

The Petition of the Magistrates and principal Inhabitants living along the road between the Lakes Ontario and Erie and its vicinity:—

Sheweth.—

That the Bridge crossing the mouth of the Chippewa Creek, upwards of three hundred feet in length, is so much decayed as to render the passing unsafe, and has twice endangered the lives of passengers and teams by breaking down.

Your Petitioners deem it unnecessary to enlarge on the utility (and, indeed the necessity) of a bridge. There, since it is so well known to many of the Gentlemen in Your House, particularly those representing this part of the Province, they

presume to say that no road in this district is more travelled than the road above mentioned

The law authorizing the Magistrates in Quarter Sessions to draw on the County Treasurer for the repair of highways and bridges does not allow them to exceed the sum of Fifty Pounds for any one bridge which in the present exigence is far too small a sum.

Your Petitioners therefore pray that the Legislative Body will be pleased to authorize the Magistrates of the Niagara District in Quarter Sessions assembled to apply an additional sum of Two Hundred Pounds of the County money to defray the expense of building a bridge across the mouth of Chippawa Creek or make such other provisions as the necessity of the case requires and which in your wisdom shall seem meet

And Your Petitioners will ever pray

JOHN WARREN SR.
THOMAS CUMMINGS
SAM'L STREET SR.
ALEXR DOUGLAS and others.

This petition bears no date but was read in the Legislative Assembly on the 26th February 1807

When the sale of several blocks of the lands composing the reservation for the Six Nations on the Grand River was approved by the Executive Council Hon D W Smith the Surveyor General William Claus their Superintendent and Alexander Stewart a barrister residing in Niagara were appointed trustees for the management of this business Smith had since removed to England and the responsibility had devolved upon Claus and Stewart causing them considerable anxiety owing to dissatisfaction among the Indians who were divided into contending factions.

FROM WILLIAM CLAUS TO WILLIAM HALTON

Fort George 24th March 1807

Sir

I am extremely anxious to hear what Mr Jarvis intends doing respecting Block No 5 on the Grand River for which he pledged himself on the 4th September last to surrender to the Crown in three months from that date in case he did not comply with the terms on which the lands were originally purchased by him as one of the Trustees I beg leave to say that no one part of that agreement has been complied with to my knowledge I beg leave further to add that such persons are now ready to come forward to purchase that Tract, as I am confident will meet the approbation of His Excellency.

I am also very anxious to hear how far His Excellency is pleased to approve the arrangement made by the Six Nations in Council 23d September last respecting Block No. 3 formerly purchased by William Wallace, as I have been informed that the persons who were recommended at this Council for the purchase of the remaining part of that Township (45 185 acres) will come forward in the course of a fortnight to tender me the money for the same amounting to £5648.2.6 Prov. Curry

In my letter to His Excellency 11th Sept., 1806 I explained the difficulties & expense attending the mode directed by the Executive Government for the funding of the money arising from the sale of the Indian land which still causes dissatisfaction among them, that mode must still be followed by me upon the receipts of the further payments which I look for daily unless altered by the same power that authorised it

I beg that the above may be Submitted to His Excellency the Lieut. Governor for his consideration

(Sundries U. C. 1807.)

In 1804, at the instance of the Colonial Secretary, an act had been passed by the provincial parliament for the "encouragement of the growth and cultivation of Hemp within this Province, and the exportation thereof," and appropriating one thousand pounds for the purchase of "merchantable hemp," grown in the province at the price of forty pounds per ton by commissioners to be appointed by the Lieutenant Governor. Robert Hamilton had accordingly been appointed one of the commissioners by General Hunter and was continued in office by Grant.

FROM ROBERT HAMILTON TO WILLIAM STANTON

Sir

I have been much honored with yours of 16th Inst. Accompanied with 75 Copies of the Hemp Remarks which I shall endeavour to distribute in this Vicinity so as to meet his Honor the Presidents Wishes. —

Tendering thro you to him my best Respects I remain
Sir
your very hum. Servt
R. HAMILTON

Wm. Stanton Esqr

Queenston July 22 1808
(Sundries, Upper Canada, 1806.)

Joseph Frobisher, a prosperous merchant in Montreal, who was considerably interested in the fur trade with the North West, has briefly recorded his visit to Niagara in 1807 in his unpublished journal. He was accompanied by Isaac Todd, another leading merchant.

July 1807

Tuesday 14.—Arrived within the Bar at Niagara at 9 oClock in the Evening & slept on Board [the Simcoe, Captain Sampson.]

Wednesday 15.—Breakfasted on Board. Dined at Emmeys Tavern — Major Short & Capt. Ray of 41st, Revd Mr Addison & Mr Thomas Dickson Dined with us & in the Evening Rode up to Queenston & slept at Mr Hamilton.

Thursday 16.—Went to Niagara & Dined with Mr Jas Coffin & returned in the Evening & slept at Mr Hamilton — N.B. Mr Todd remained at Home —

Fryday 17.—Went to Niagara & Dined with Lt Colonel Procter & returned in the Evening

Saturday 18.—Went with a party to see the Falls of Niagara & got down to the Table Rock. Rode up as far as Chippawa & returned & Dined on the Road & Slept at Queenston. Mr Hamilton

Sunday 19.—Remained at Mr Hamilton — Rain all Day

Monday 20.—Left Mr Hamilton early for Niagara & got on Board the Duke of Gloucester, Commodore Steel by 8 oClock in the Morning & sailed for York which we reached by 11 oClock at Night slept on Board (4 miles from shore.)

Tuesday 21.—Went on shore — Dined at Moore Tavern and asked to Join the Commodore Grant, Judge Scott, Mr McLean, Mr Chewett & Mr Thomas Dickson

Wednesday 22.—Remained at York all Day Dined with Chief Justice Scott & slept on Board the Duke of Gloucester & got under way

Thursday 23.—After being becalmed all the forenoon the Wind sprung up about noon & got into Niagara about 4 oClock & Dined at 41st Mess & in the Evening went to Queenston & slept at Mr Hamilton

Friday 24.—Mr Todd went to Niagara on Business & I went up as far as Chippawa & found Mr & Mrs. Waddington at the falls of Niagara — they returned with me & we Dined at Mr Thomas Dickson at Queenston

Saturday 25 —Remained at Home all Day

Sunday 26 —Went to Church at Niagara & Dined at 41st Mess with Mrs Waddington & several other Ladys & returned Home in the Evening

Monday 27 —Got all our Baggage on Board of the Simcoe Mr Todd & Mrs Waddington & servants then went on Board & Mr Waddington & myself Rode down to Niagara & Dined with Doctor Kerr — at [illegible] oClock the Simcoe got down & we went on Board & got under way with a slight Breeze. —

Tuesday 28 —A good Breeze all Day arrived at Kingston at 7 oClock in the Evening & slept at Walker Tavern.

After his return to Montreal on July 31 he summed up his journey in the following words

N B after being absent about 25 days viz

6½ Days from Montreal to Kingston
1½ do remained there.
1 do in crossing Lake Ontario to Niagara
5 do remained at Queenston & Niagara
1 do. in Crossing to York
2 do remained there
1 do in Crossing back to Niagara
4 do. remained at Niagara & Queenston
1 do. in crossing the lake to Kingston
2/3 do remained at Kingston
2 1/3 do to La Chine.

25 Days.

The attack by the British frigate Leopard upon the United States frigate Chesapeake combined with a general feeling of unrest among the western Indians seemed a certain portent of hostilities and caused evident anxiety among merchants everywhere in Canada

FROM THE QUEBEC GAZETTE

Thursday September 3 1807

It is stated in a Pittsburg paper that the British merchants at Michilimackinac refuse purchasing any articles of country produce from the Americans, and are preparing to remove their effects from our territory It is further stated that the difficulties with the Indians on that frontier are such as to render it unsafe to travel from Chicago to Detroit by land (To the above intelligence we can add from good authority that the whole of the Indian nations have offered their services to the British Government in case of war with the United States.)

About the same time it was reported and widely believed that General Moreau who had been exiled from France and had taken up his residence in the United States would be offered the command of an army organized for the invasion of Canada

COLONIAL OFFICE RECORDS NOVA SCOTIA

Series A Vol 139 pp 329 330

Halifax Sept 4th 1807

Sir

For the information of His Royal Highness the Commander in Chief I take this opportunity of a Letter Admiral Berkeley will dispatch this day to England of acquainting you that it is generally reported at New York (in the event of War) that General Moreau is to have the command of the American Army he is gone to Canada on pretence of seeing the Falls of Niagara but it is clearly for the express purpose of making himself acquainted with the Country

I have &c
M HUNTER
M G

Newspapers in the United States continued to publish alarming intelligence from the Indian territory some of which was reprinted in *Quebec Gazette* a semi official publication

FROM THE QUEBEC GAZETTE

Thursday November 12, 1807

New York Oct 16 to 24

From a Gentleman just from Ohio intelligence of considerable importance has been received that the Potawattomie [illegible] and other Indians to the number of nine hundred have assembled at Greenville on Mad River Ohio The Colonel of the Militia of that part went to them for the purpose of ascertaining their object and numbers. The Indians refused to give him any satisfaction on the subject. He then went to the Prophet and told him if he did not he should inform the government of his country He replied I care not a d—n for you or the government of your country. I can blow you off the earth like sand from my hand. Six hundred of the Kentucky militia had crossed the Ohio at Limestone commanded by General Scott and 1500 Ohio militia were prepared to march for the purpose of dispersing them.

It was reported at Chillicothe that seven thousand Indians had crossed the Lakes, and that a number of British agents were among them, and it was supposed the former were waiting until joined by these others, when it was expected they would attack the whites.

LEXINGTON TELEGRAPH

NEW YORK, Oct. 17.—A letter from Mr. Rathbone, Missionary among the Indians, says that the Chiefs of the six nations are peaceably inclined towards the United States. It appears from the report of the commissioners sent out by the Governor of Ohio that the Indians near Greenville are not hostile. The Prophet is said to preach peace, being thus taught not by man but by the Great *Spirit*. Blue Jacket in a talk addressed to the commissioner stated as their chief complaint that the government agent at Fort Wayne, (Mr. Wells) was disliked.

FROM THE QUEBEC GAZETTE

Thursday, December 24, 1807

Extract of a letter from a respectable citizen of the U. S. captain of a trading vessel on Lake Erie, dated Fort Erie Roads, October 23d, 1807.

The British have armed all their vessels on this lake, viz. the Camden Snow of 18 guns, the Gen. Hunter a brig of 16 guns, and all their merchant vessels. On Lake Ontario, as I am informed, the Duke of Kent, a snow of 18 guns, a ship the Toronto of 24 guns, and the Governor's yacht; the latter a few days since exercised her men and guns alongside the brig Adams.

"Should hostilities actually take place between the U. S. and G. Britain, the posts of Michillimackinac and Chicago, it is most probable, would be the first places the British would strike, to expose a more extensive frontier to the Indians, whom they are tampering with to obtain an alliance."

The appointment of an experienced officer on the half pay list of the regular army, who was also a member of the Executive Council, as adjutant general of militia, had considerable significance.

From the Quebec Gazette

Thursday January 14 1808.

York U C.—His Excellency the Lieut Governor has been pleased to appoint Lieut. Col Aeneas Shaw to be Adjutant General of the Militia forces in this Province

Departed this life on Tuesday the 24th ult. Capt Joseph Brant aged 65 years

A few emigrants from the British West Indies and some even from Santo Domingo had arrived in Upper Canada and this seems to have encouraged others to contemplate following them.

From Robert Nichol to William Halton

Niagara May 14 — 1808

Sir

I have just received a letter from a Gentleman of very considerable property in the Island of St. Vincent stating it to be the intention of himself and several other Gentlemen in that Island to Come to this Country with the view of settling in it — and requesting me to say — to what extent persons of his description might expect to receive Grants of Crown Lands, on their arrival in the Province — The Gentleman is an European and of undoubted loyalty and as this Province may eventually benefit by the Migration to it of such Characters — I am anxious to transmit to him the most Correct information in my power and if possible from an Official Source —

Doctor Kerr who is the bearer of this has been written to on the Same Subject and can give His Excellency the Lieut. Governor more Satisfactory Accounts of the Gentleman in question

(Sundries. U C 1808.)

The movement of regular troops of the United States army to reinforce the garrisons of their frontier posts and the arbitrary seizure of boats laden with goods for the Indian trade by the collector of customs at Fort Niagara seemed to portend a declaration of war and naturally increased alarm and led to vigorous protests from their proprietors supported by the Lieutenant Governor and the Governor General.

From Robert Nichol to Brigadier General Brock

Niagara May 21 — 1808

My Dear Sir

Conceiving that in the present State of our Affairs with

the United States it might be desirable for His Excellency the Commander in Chief to have early and correct information of any Movement of the American Troops on the Frontiers — I have conceived it to be my duty to State to you that I have received intelligence that can be depended upon that strong reinforcements of Troops of the line have been ordered from the interior of the United States to the posts of Detroit & Michilimackinac, and that a detachment of these amounting to upwards of a hundred Men has already Arrived at Presqu'isle on Lake Erie — I have Conversed with the Captain of the Vessell Chartered to Carry them up — My reasons for being so forward to report this to you is that the sudden Collection of a large force at the present time in those places might very materially affect our intercourse with the Indian Nations and dispose them to Commit hostilities on our distant Settlements before we could afford them the necessary protection — While writing a most unpleasant circumstance has taken place which is I think, strong evidence of the hostile intentions of the United States —

Twenty Boats belonging to the North West and South West Companies — Navigating Lake Ontario under the faith of the Treaty of Amity and Commerce — were this Morning fired upon by the American Garrison and Seventeen of the Twenty Captured — the remaining three Made their Escape to this Side — it is unnecessary for me to say More on this Subject as I presume a correct Statement of the fact will be forwarded to the proper Authorities —

I write in great haste the vessel being just on the point of Sailing

I am with much respect

Robt Nichol

Brig: General Brock
&c. &c. &c.
Montreal

(C 363 pp 61 3)

From Robert Hamilton to Captain Leonard

Queenston May 23rd 1808

Sir

After the conversation I had with you on Saturday on the subject of the Goods now Seized and forcibly detained at your Post the property of the Mackinac Company and solely intended for the Trade with the Indians I think it my duty

to state to you in this way the following facts — That however the matter may terminate, you may not have it in your power to say that you were uninformed of them. — Most probably this statement may be laid before your Government and mine also

Sir James Craig, the Commander in Chief of the British Territories in America, did send to the President of the United States by Mr. Gillespie of Montreal, a Representation of the state of the Indian Trade in the interior parts of this country, and of the danger to be apprehended from the Indians of those parts were they prevented from receiving their usual Supplies — Mr. Gillespie has returned to Montreal perfectly satisfied that this Representation would be attended with the best effects, and having assurance given him that the Indian Trade should not, in any way be affected either by the Nonimportation or the Embargo Law, and in confirmation of those assurances having been given him, we see in the last Supplementary Act on this subject the 15th Section of which most completely replaces this Trade in the situation it was in prior to the passing of any of those Acts — As you have that act in your possession, I do not trouble you with a Repetition of the Clause referred to — But as you must observe in it full liberty is given for the importation of British Merchandize into the United States, for the purpose of Trading with the Indians, surely it is absurd to suppose it meant to interdict the persons employed in the Transport of the Goods, from touching on the American side of the River or Lakes, not for the purpose of Trade but solely for refreshment

On Mr. Gillespie's return to Montreal, the Mackinac Company, trusting implicitly to the assurances given him at Washington, proceeded to dispatch the boats usually employed in this Trade and directed the men to pursue the usual Rout along the south side of Lake Ontario as being the safest and shortest and as being the rout the Canadians were best acquainted with.

They came unmolested until they reached the mouth of the Niagara River — where in the Waters which divide the two countries they were assailed by a Military force from the Garrison you command — Brought forcibly on shore the Boats and Goods seized by a Collector at your Post and the men thus forcibly deprived of the property they had in charge compelled to leave it and their Boats and to cross the River in the best manner they could without the means of prosecuting their Voyage or of returning back from whence they came —

What you Sir as Commanding Officer may think of in forcing these very strong measures, by the aid of your Musketry loaded with Ball some of which reached the houses on the

British side of the River, and thus against unarmed Men who did not understand your Language, nor could conceive your wish, *I cannot say* — But had any fatal accident arisen from this unnecessary exertion of your power — We cannot help thinking that it might have had a very *serious personal consequence to yourself.*

Thus much for the Facts that have passed. The Evil that has been done may yet be remedied, by giving up the Goods and permitting the men in their boats to prosecute their intended Voyage.

If you or the Collector are in any doubt with regard to the Quality of the Goods or their destination for the Indian Trade — this shall be ascertained to you by any proof you can in reason require — If you wish for any security that these Goods shall be delivered at the places of their original destination, without change or defalcation, I here offer it to you, to any extent you can possibly in reason demand —

Should these Goods be detained until your Collector can make his Report and receive an answer from Washington the intention of the Voyage is completely frustrated — The Goods may just as well be detained Eight Months as Eight Weeks, and this is the time you admit an answer may be expected by the Post — As by such delay an absolute impossibility arises of reaching with them in this Season the different inland Trading Posts for which they were intended.

Neither you nor I can doubt, after reading the 15th Section of the Act of Congress above referred to, But that these Goods will be instantly ordered to be delivered back and will you assist your Collector in detaining them contrary to an express law of your own country, with the certainty that their detention can produce no sort of good or advantage either to you or to him, but must be attended by incalculable loss to the other party?

I address this to you, as I am well assured your advice to the Collector will have full effect in determining his conduct.

I am Sir &c.

R. HAMILTON.

Captain Leonard

Commanding the Troops of the

United States Fort Niagara

FROM THOMAS CLARK TO BLEAKLEY AND POTHIER

Kingston, May 24th 1808

Messrs. Bleakley & Pothier.

Gentlemen,

Ere this reaches you will have learnt by Mr. James Crooks that eight of your Boats going round the Lakes have been stopped and seized by the American Custom House Officer at the Garrison of Niagara on Saturday last Mr Hamilton and Mr Thomas Dickson being then at Niagara went over to the Garrison and entered a protest against the Collector's conduct — The Collector said his reasons for seizing them, were because they had not regularly entered and reported in passing. — On Saturday evening when I first heard of their seizure I learnt that nine Boats were still behind, and that the Americans had sent down the Lake to intercept them I immediately got a Boat and with some of my acquaintances went down the Lake in the night and had the good fortune to fall in with them first about 18 Miles below Niagara Fort and had the good luck to bring five of them along with us to this place the other 4 having escaped us last night and went ashore from fatigue not having stopped since I first found them at the 18 Mile Creek. I however think they will arrive this evening and escape the crew of the Niagara Collector who followed us near 100 Miles. I brought La Belle along with me from Niagara who will conduct the Boats round the north side of the Lake — At my return to Niagara I will despatch the three Boats that escaped to Sandwich as also the nine when they arrive distributing amongst them the crews of the 8 Boats that were seized, presuming that you will require all the men to send into the Indian Country.

Finding a vessel at this place just going off to Niagara, I return with her not having been here two hours when I get home, every effort shall be made to get the Goods and Boats released in the meantime I think you will do well to apply at Washington for their being delivered up.

I am, Gentlemen
Your very obed Servant

(Signed) THOMAS CLARK

FROM CAPTAIN J LEONARD TO ROBERT HAMILTON

Fort Niagara May 24th 1808

Sir

I have the honor to acknowledge the receipt of your Letter of the 23rd Instant.

From my Military Situation I think it would be highly improper on my part to go into the discussion of the principles which governed the United States Collector at this Post in the seizure made by him on Saturday last of the Goods, boats, &c. stated by you as belonging to the British Mackinac company.

I must beg leave however to observe that my reply must be only conformable to the observations I made you on the day of the Seizure in the presence of James Muirhead and Thomas Dickson Esquires of Upper Canada and Doctor Joseph West of the United States Army — That the proceedings were under the direction of the Civil Authority of the United States.

In answer to that part of your communication which calls in question the propriety of my Military Conduct as Commandant of this Post — I feel myself bound from the expression contained therein to observe that the laws of my country exact from me a Sacred regard to its Civil Institutions and a prompt and ready obedience to its civil authority and that under these impressions and from mature Reflection and deliberation and under the proper application of the Collector at this Post I did conceive it my bounden duty to call for such part of my Garrison as I presumed commensurate with the object in view.

I am Sir &c.

J. Leonard.

To

The Honble

Robert Hamilton

Queenston

From Robert Hamilton and Thomas Dickson

to Lieut.-Governor Gore

Queenston May 25th 1808

Sir,

Acting as Agents for some of the Merchants in Montreal engaged in the Peltry trade with the Indians in the interior parts of this Country we think it our duty to state to your Excellency a circumstance that has taken place in this Quarter which threatens to be prejudicial in the highest degree to that body in general but particularly to those of them trading under the Firm of the Mackinac Company.

In consequence of the Arrangements made this Spring at

Washington with the Government of the United States thro' the Agency of Mr Gillespie a Merchant of Montreal and from which originated (as we suppose) the 15th Section of the last Supplementary Act regarding the Embargo — This Company fitted out and dispatched by the usual Route of the Lakes Twenty Boats laden with Merchandise, solely intended for the Indian Trade, and consisting of the usual Annual Supplies for those Nations

On the 21st Instant these Boats were stopped in the Waters which divide the two Countries by a Military armed force from the Garrison of Niagara. Eight of them forcibly taken to Shore were seized by the Collector of that Post — The Goods unladen and Carried into the Fort — and the Men compelled to abandon the Boats and Cargoes committed to their Charge, were turned adrift, to cross the River to the British side in the best manner they could.

We went on hearing this to the Collector at the American Post to enquire into the reason of this extraordinary Measure — We could only learn from him that he had Seized the Boats and the Goods, because the Men had attempted to pass a Port of Entry without making a Report: a Form we believe only required by the last Supplementary Embargo Act, of which these people could have no knowledge; a Thing never before demanded from Boats in this trade, and to which the Canadians who alone navigated these boats are perfect Strangers.

The Commanding Officer on application being made to him declined all interference — having only Acted (as he says the Laws of his Country direct) in Aid of a Collector.

This answered it was thought expedient to state to him the Commanding Officer in a Letter the whole circumstances of the Case, offering to him the fullest proofs of the Quality of the Cargoe he could require, and tendering to him the amplest Security for the delivery of these Goods at the place of destination and for the sole purpose of the Indian Trade that he could demand. A Copy of this Letter as also of the Commanding Officer's Answer we now have the honor to enclose — We have also Joined in a Protest against the Conduct of the American Collector, delivered in as formal a Manner as our Situation would admit.

Three of these Boats came on Shore on our Side and are with their Cargoes now here — to Nine others that were still behind on the Lake intelligence of the above event has been conveyed, and it is hoped they have got back to Kingston, but of this we are not yet certain

As the Trade carried on by this Company is of great importance as well to them as to the Inhabitants of this Province And as this extraordinary measure must be Attended with the most serious Inconvenience and heavy loss to all Concerned and as we may foresee but cannot Calculate on the effects it may have on the Minds of the Indians to be thus deprived of their usual Annual Supplies may we presume to hope that your Excellency may deem that an Object worthy of your Attention And that you will have the goodness by a proper Representation in such manner as you may think best to the Government of the United States to endeavour to procure the Restitution of those Boats and Goods for the Company to their Agents here Tho we are well aware that by the loss of time this requires the Object of the Voyage for the present year is totally frustrated — Still the getting back the property may prevent a total loss, which most probably will ensue if it is detained for any length of time where now Stored And we would also flatter ourselves that this Representation may have the effect of preventing the Repetition of such Evils in time to come

With unfeigned respect we have &c

R. HAMILTON
THOMAS DICKSON

To

His Excellency
Francis Gore Esquire
Lieu Governor — Upper Canada
&c. &c &c

FROM RALFE CLENCH TO AENEAS SHAW

Niagara 25th May 1808

Sir

I now enclose to you the return of the officers, &c &c belonging to the First Regt of the County of Lincoln Militia I also send a list for promotions and appointments for the inspection and approbation of His Excellency the Lieutenant Governor The List of Field Officers at Present doing duty with the Five Regiments within this County I beg also to lay before His Excellency and are as follows

Colonel Ralfe Clench

1st Regt Lt Col Robert Kerr Major James Muirhead	Second Riding of the County of Lincoln
2nd Regt Lt Colonel Peter Ball Major David Secord	Laying within the Third Riding of the County of Lincoln

3rd Regt Lt Col John Warren, Major Thomas Cummings	Laying within the Fourth Riding of the County of Lincoln
4th Regt Lt Colonel Johnson Butler Major John MacKay	Laying within the Eastern part of the First Riding of the County of Lincoln
5th Regt Colonel Peter Hare Lt Colonel Andrew Bradt Major Richard Hatt	Laying within the Western part of the First Riding of the County of Lincoln.

According to that order the Regiments have ever paraded at our parade trainings or Reviews the 1st 2d and 3rd Regiments were first organized under and by virtue of Commands from Lord Dorchester the 4th and 5th Regiments under Lieutenants of Counties Should His Excellency the Lieutenant Governor be pleased to number the Regiments it will be the means of preventing jealousy and disputes hereafter should the different Regiments meet on the same Parade as we hitherto have been in the habit of doing

I have the honour to be &c

RALFE CLENCH
Colonel 1st Reg L M

Honble Aeneas Shaw
Adjutant General, York.

(Militia papers, U C M D 30.)

FROM FRANCIS GORE TO D. M. ERSKINE

Niagara Upper Canada
26th May 1808

Sir

The importance of the inclosed papers No 1 2 & 3 requiring that your Excellency should be put in possession of them with the least possible delay I have forwarded them as soon as received

The Honble R. Hamilton from whom I received them is a Gentleman of the most respectability in this Province a Member of his Majesty's Legislative Council and a Man whose representations may be entirely relied on

The several documents detail so accurately the Conduct of the Officers of the United States Government that I would be Superfluous for me to add any observations of my own more than to Express my strong apprehensions that the restraint which his Majesty's Government have with so much anxiety and Success had on the Indians hitherto will become difficult and unavailing when they are informed that the usual Annual Supplies intended for them have been Seized by the Officers of the American Government.

I have the honor to be &c

FRANCIS GORE
Lt. Governor

His Excellency
The Honorable
David M. Erskine
Washington

(Sundries, Upper Canada, 1808.)

A letter from Queenston published in the *Quebec Gazette* of July 14 announced Gore's hasty departure for Amherstburg three weeks later.

"Queenston, Upper Canada, June 16.

Our Lieutenant Governor has been sent for by express from the Indian agent, near Detroit, and sets out by land this day for that quarter. It is reported that some very violent resolution adopted by the Indians (on hearing that their usual supplies for their trade were stopped by the American government at Niagara) has occasioned this sudden and unexpected measure. God grant that no mischief may take place before he gets up. Col. Claus is still there, and the Governor takes with him most of the other officers of the Indian department."

Gore's journey was reported in the following terms in the next issue of the *Upper Canada Gazette*:

"His Excellency the Lieut. Governor left this place, York, on the 15th instant, on a visit to Sandwich &c. We are sorry that he did not, as he originally designed, proceed by Lake Huron, according to his amiable intention and view of promoting the first interests of this province."

FROM WILLIAM ARMSTRONG TO FRANCIS GORE

Quebec 26th May 1808

Sir

I had yesterday the Honor of receiving yours of the 30th March, which was forwarded I suppose from New York to Montreal, from whence I received it. About the time you wrote I left the United States, from whence I should most Certainly have written you had anything serious been likely to take place but as I have all along been Convinced that it was not the Intention of that Government to go to War with Great Britain, *If they can possibly Avoid it* And all their proceedings being published in the News Papers, I thought it unnecessary to trouble your Excelly with my Correspondence more particularly as I was then ignorant of the *proper* mode of Conveyance

Previous however to my leaving that Country I left Directions with two of my friends at Wash. and N York that in case they saw a Necessity for it, to send you immediate Information by Express. — As I know nothing has Occurred of the smallest Consequence you of Course have not heard from them. If you should the first will be Dated F and signed L. — the other will be Dated A. and signed B. — and on their Information you may rely

Notwithstanding all the Supplements and Attempts to Enforce the Embargo or more properly the Non Intercourse Act Immense quantitys of Produce Comes in by every fair wind from Lake Champlain and the Inhabitants of Vermont publickly Declare they will not allow it to be Stopped — of this the Government is Convinced and rather Chuse to wink at the Infringement than run the Risk of an Insurrection which I really expect will take place should the Embargo Continue a few months longer — But a war with France is daily expected & almost unavoidable

The New York Papers will have given you the particulars of the Wonderful Change that appears to have taken place in Spain which I think will be the means of inducing our Government to pay some Attention to Col. Burr's proposals, with which I have good reason to believe he is either gone or immediately going to Britain — *This to yourself only* I have Communicated it to your friend Mr. C in order that he might be prepared to meet it. — No other person knows of it

Seventeen Ships & Brigs arrived here within these ten Days from Halifax, Britain, Ireland & the West Indies, & many more are Expected, but I dont find they bring any News, Excepting that on the 4th Inst. a Report prevailed at Bermuda that a large proportion of the Troops there were about to proceed for this place. —

I arrived here the end of last Month & have Reason to believe I shall remain with Sir James Craig who tho' much better than he was when I arrived, is still far from being as well as I sincerely wish him. —

Should I not remain here it is my intention to pay a visit

to Upper Canada for the purpose of paying my Respects to your Excellency & a Person Assuring you that if in any way I can be of Service to you you may Command & Believe me to be with perfect Esteem

Your Excellencys
Most Obed. Hble. Servt

(Sgd) Wm Armstrong.

His Excelly
Lieut. Gov Gore
Etc. Etc.

From the Merchants of Montreal to Hon D H Erskine

To His Excellency the Honorable David Henry Erskine His Majesty's Minister Plenipotentiary to the United States of America and Washington.

The Memorial of the Merchants of Montreal carrying on Trade to the Indian Country within the American Territory

Respectfully Sheweth

That your Memorialists having been apprehensive that the Revenue Officers of the American Government on the frontier of the Indian Territory might interpret some of the Laws that were existing and had recently been passed in such manner as to impede that free intercourse which your Memorialists as British Subjects have a right under an existing Treaty to enjoy in trading with the Indian Nations, were induced in March last to represent the same to His Excellency the Governor in Chief of the two Canadas who was pleased thereupon, to refer them to you on the subject by transmitting to your Excellency by Geo Gillespie Esquire the Memorial they had presented to him for the especial purpose of obtaining such explanations of those laws as would secure such free trade and intercourse with the said Indian Nations, as were stipulated by the Treaty of Amity and Commerce between Great Britain and the United States, concluded in 1794 and further confirmed by an explanatory article thereto made in 1796

That in consequence a Law was passed by the Legislature of the United States apparently so clear and explicit as removed the apprehensions that they had entertained and the Trade which before had been entered upon was continued to be prosecuted in full faith and confidence that no molestation or impediment whatever would therein be given But notwithstanding the said Treaty and the said Law of the American

Legislature your Memorialists have learnt to their utter astonishment, that a number of Batteaux belonging to your Memorialists, laden with Merchandise for the Indian Trade, have been lately seized at Niagara by the Revenue Officer there, aided by the Military power of the Garrison, as your Excellency will see by the annexed letter from the Honorable Robert Hamilton Esquire, one of the Members of the Legislative Council of Upper Canada, at a time too when it would appear by said Letter that the Revenue Officer was acquainted with the Section of the Law, which took the Indian Trade carried on from this Country completely out of the operation of the Non Importation and Embargo acts of Congress.

That this wanton and unjustifiable attack by the Collector on the property of your Memorialists, and actual hostility of the Military on the persons of their Servants, who are subjects of His Majesty, will not be sanctioned by the American Government, they are persuaded, but unless such violations of Amity, law and justice are put a speedy stop to, by the most precise orders from the Superior to inferior Officers at a distance, the Treaty will be a mere nullity — The Trade must be abandoned, and all those concerned in it ruined.

That this detention of property, and the consequent dispersion of the Servants of your Memorialists, the Crews of the said Batteaux, who are thus turned adrift, will so seriously break in upon the Trade of the year, as to occasion a loss that may exceed fifty thousand pounds — for the Goods so detained being an essential part of a general assortment for Indian Trade must render the whole nearly useless, as the want of them will be much felt in the same manner as would arms without ammunition or ammunition without arms, — besides an immense expense has already been incurred from the necessary preparation for the usual Trade, and which expense, cannot now be prevented or curtailed — all this is so truly the case, that even the restoring the detained goods at as early a period as now practicable can only repair a small part of the injury so wantonly done and will not prevent your Memorialists from looking for a full pecuniary indemnification in proper season, at the hands of the American Government, for the loss and injury that must be sustained by this distressing and hostile measure, and in the prosecution of which claim to full indemnification they look forward with full confidence, to the support of His Majesty's Government.

That your Memorialists are further informed that the furs and skins arising from the Indian Trade within a part of the American Territory, have been stopped on the Miamies River and prevented from being brought to the place of ren dence of the proprietors within the British dominions, of which they are subjects, and if the same measure of injustice is extended to Michilimackinac, your Memorialists confidently assert that the eventual loss may exceed two hundred thousand pounds Sterling.

Your Memorialists consider the stoppage and seizure of the Batteaux in question as a gross violation of the Treaty of 1794, in this further point of view that *the right* to navigate the Lakes, Rivers and waters of the Continent of America within the country of the contracting parties is *most* precisely thereby secured under *such right* these Batteaux were loaded at Montreal for a destination far beyond Niagara and to go by the accustomed route, which necessarily leads them to coast the British shore of some of the Lakes and the American shore of some of the others according as the said shores of one or the other are most favourable to safe navigation in Boats.

In the present case these Batteaux were peaceably proceeding to their said remote destination along the American shore of Lake Ontario and when crossing as usual from the point at the entrance of Niagara River over to the British side of that River they were most unjustifiably fired upon and brought back, although borne either by British Waters, or those to the use of which his Majesty's Subjects had an unquestionable right. It will not therefore escape your Excellency's observation that His Majesty's Subjects being so fired upon when out of the American Territory and some of the Balls actually coming over to the British side, places the transaction upon a footing of most decided and unequivocal hostility.

The collector is said to support his conduct upon the pretext of their not stopping to report. — The right to demand such stoppage and report when coasting the Lakes and Rivers of communication between them merely for the purpose of arriving at a distant destination your Memorialists have ever denied and now deny and they rest their pretensions upon the fair interpretation of that Treaty which universal practice has hitherto sanctioned and which is confirmed by an instance on Lake Huron near Michilimackinac where a seizure of some Boats belonging to the North West Company being made by the Collector of the Port the property in such Boats was after a full discussion in the American Courts, restored.

That under all these circumstances your Memorialists urge the necessity of your Excellency's making a strong representation to the American Government upon this subject of complaint and obtaining from the proper authority such explicit instructions to the Revenue and Military Officers as may immediately liberate the property detained as also that without loss of time instructions be sent to all the interior Posts to enjoin in future a liberal and just compliance with the Treaty of Amity and Commerce and the fifteenth Section of the 4th Embargo act which relates to the Indian Trade.

JAMES & AND. MCGILL & CO.
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J. BLEAKLEY for self | Agents
GEORGE GILLESPIE | for the
TOUSSAINT POTHIER | Mackinaw
DAVID MITCHELL JNR. | Company

Montreal 27th May 1808

FROM JAMES MCGILL TO HERMAN W. RYLAND

Montreal 30th May 1808

Dear Sir —

I beg leave to trouble you with a Memorial from the Merchants of this place carrying on the Indian Trade within the American Territory to His Excellency The Governor in Chief and copy of a memorial to His Excellency David Henry Erskine His Majesty's Minister Plenipotentiary at Washington which they despatched by a confidential & Special Agent yesterday and they request you will lay the same before His Excellency the Governor in Chief — Copy of the Letter from Mr. Hamilton & Spoken of in the Memorial would have accompanied this but it was forwarded yesterday by Brigadier General Brock & renders it unnecessary to trouble you with another — The Merchants were most desirous of having the recommendation of The Governor General to Mr. Erskine but as this would have occasioned delay & every Hour being precious under the existing circumstances they thought it best not to lose any time more especially as they know His Excellency's sentiments on the subject of the Indian Trade by his ready assistance in March last when Mr. Gillespie went to Washington on this business

I think it right to add that since the Memorial to His Excellency was framed the Merchants have received information from the Conductor of the Battoes that were seized that he had five Battoes under his Charge with three of which he reached the British side & two of them were seized that he was fired upon by the Men from the American side who came off in a Battoe to stop them — That six other Battoes were seized which had not come up when he passed the American

Fort & he thinks must have been at some distance from the Fort when seized. That further an American Boat was despatched with armed Men with the evident purpose of laying Hold of Nine other Battoes loaded which were yet in the Lake & were only prevented by the greater Celerity used by Mr. Clarke of Niagara Agent for the Memorialists who in a light Battoe well manned & armed went out into the Lake to meet these nine Battoes & succeeding in bringing them back to Kingston notwithstanding they were pursued for a length of time by the American Battoe.

It is proper to mention for the information of His Excellency that the Battoes in question were twenty in number, divided into four Brigades, that they passed Oswego an American Fort & Custom House without molestation notwithstanding they were in reach of the Collector who saw them pass & was heard to declare by a Person now here that he had no right to stop or molest them — From this circumstance it would seem either that the Collector of Niagara had not similar Instructions, or if he had, he has wantonly disregarded them & injured the concerned to such extent as few private fortunes can bear, & still fewer make up for — Conceiving however that a different line of Conduct will obtain at the other American Posts The Merchants mean to prosecute their business, trusting that the heavy Loss they must sustain will be considered worthy the notice of the Government & compensated in due Season.

I have the honor to be with great truth & regard Dear Sir
Your obedt & very humble Servt

JAMES MCGILL

Herman Wit. Ryland, Esq

P.S. Since writing as on the other side Mr. Clarke's letter has come to hand and I am forwarding a copy of it.

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of The Bath Captain General and Governor in Chief in and over the Provinces of Lower Canada Upper Canada Nova Scotia New Brunswick and their several Dependencies, vice admiral of the same, general and commander of all His Majesty's Forces in the said Provinces of Lower Canada and Upper Canada Nova Scotia and New Brunswick and their several Dependencies and in the Island of Newfoundland &c. &c. &c.

The memorial of the merchants of Montreal carrying on the Indian Trade within the Territory of the United States of America

Most Respectfully sheweth:

That your Memorialists have been lately informed by letter from the Honorable Robert Hamilton of Niagara a member of The Legislative Council of Upper Canada, that a most violent and hostile attack had been made on their Boats and Batteaumen carrying Goods for the purpose of the Indian trade on passing the American side of the River of Niagara, by seizing their goods to a great value, and firing on their Batteaumen

That in consequence of this information Your Memorialists considering the necessity of losing no time in applying for Redress, have dispatched a confidential and special agent to Washington, with a memorial to His Excellency D. H. Erskine, His Majesty's Minister Plenipotentiary, on the subject and of that memorial and Mr. Hamilton's letter copies accompany the present for your Excellency's fuller information, and to which they pray your attention.

That your Memorialists after the representation transmitted by your Excellency on the same subject, in March last to the Honorable Mr. Erskine, to which so satisfactory an answer was given by the American Legislature passing a law to exempt the Indian trade from the non importation and embargo Acts in so much as they might relate to British Subjects trading with the Indians within the American territory see with pain and astonishment that neither the Treaty of amity and commerce between Great Britain and the United States of America nor laws made by themselves are sufficient to prevent the subordinate officers of that government from committing acts of violence and injustice on British Subjects and [illegible] Government.

That in addition to the representations made to Mr Erskine your memorialists have to state that if the Batteaux have been fired upon and the goods seized because they were passing an American post without making entry of such goods, the waters of Lake Ontario and all others along the chain of internal communication must be considered as interdicted to British Subjects, for vessels must frequently from contrary winds be under the necessity of approaching within gun shot of the American shore and were they to be forcibly stopped for not reporting at such Posts, the whole intercourse of merchants vessels from British Post to British Post upon the Lakes would be stopped, a pretension too absurd to be endured as it might expose to seizure the Furs of The North West not coming from the American Territory and Flour and other Provisions coming direct from Detroit or Niagara within His Majesty's Dominions, for we do not consider the exemption from the non importation or Embargo Laws as conferring the right of navigating the Lakes. We ground such right on the Treaty of Amity and Commerce, which to the subjects and citizens of Great Britain and the United States of America gives the free use in common to both of all the waters which divide their respective Territories in America.

That your Memorialists seeing the insecure state in which by this assumption of Power, the whole Trade of the Upper Country is placed, do, for themselves and others concerned in it, most earnestly entreat that you will lay their complaint before His Majesty's Minister that they may adopt such measures for granting relief and security in the premises, as they shall deem necessary, and in the meantime they pray that your Excellency will be pleased to communicate your sentiments to Mr Erskine on this subject, and give such directions to the proper officers of Government, who are charged with protecting the subject and his property, as in your wisdom you may see fit.

Your memorialists beg leave to add that as soon as further communications on this subject, comes to their hands, they will communicate the same to your Excellency, and being fully aware of the loss and injury that they will sustain by this forcible detention of their property, and violent act of Hostility, they mean to claim full pecuniary compensation from the American Government for the same, through the channel of that Government, of which it is their pride and Glory to be subjects.
Montreal, 30th May, 1808.

JAMES & AND. MCGILL & CO.
FORSYTH, RICHARDSON & CO.
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GEORGE GILLESPIE, } for the
TOUSSAINT POTHIER, } Mackinac
DAVID MITCHELL, JNR. } Company

THE QUEBEC GAZETTE

Thursday, June 2, 1808.

MONTREAL, 30th May, 1808.—We learn from Niagara that several Boats belonging to the Michilimackinac Company on passing that place were fired upon by the American fort and brought to and the property seized, which was afterwards demanded by Mr Hamilton, a British merchant, who produced the late clause of the Embargo act as a proof that the act was unlawful. The only answer which he received from the American commander was, that he construed the act in a different manner and he should detain the property and take the consequences upon himself. On firing upon the boats some of the balls are said to have passed over upon the British side. Considerable damage is also said to have been done to the boats before they were brought to.

THE FOLLOWING IS THE CLAUSE OF THE ACT ALLUDED TO, PASSED THE 22D APRIL LAST:

"Sec XV And be it further enacted, that nothing in the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or in the several acts supplementary thereto, or in the act to prohibit the importation of certain goods, wares, and merchandize, shall be construed to prevent the exportation by land or inland navigation from the territories of the United States into those of Great Britain of furs and peltries the property of subjects of Great Britain and by them purchased from the Indians or to prevent the importation by land, or inland navigation, from the territories of Great Britain into those of the United States, of merchandise the property of British subjects and by them imported solely for the use of the Indians aforesaid."

An extract from a letter from Thomas Clark to Colonel Talbot at Port Talbot dated at Queenston on June 7 shows the dislocation of commerce caused by this event

"The bearer Le May Conductor of four Boats going round the Lake will deliver you three parcels — one containing news papers, one clover and Rye grass seeds — the other One hundred Dollars. By the Boats at this time I was in hopes to have sent up your other articles, but from 8 of them having been seized at Fort Niagara by the American Collector & 5 from desertion of the men being left at Kingston, puts it out of my power having had to load the others deeply — every thing shall be sent to Fort Erie and can easily be taken to Long Point by Loders vessel there is should no direct opportunity offer for Port Talbot

"Rob Nichol has gone to Washington to endeavour get his 8 Boats & goods released I expect to hear of him in the publick papers before he returns

(Coyne, Talbot Papers, I 98 9)

FROM JOHN RICHARDSON TO HERMAN W RYLAND

Montreal 20th June 1808

Sir,—

I have had the honour of receiving your letter of the 15th instant, inclosing by command of the Governor in Chief a copy of a letter from Mr J A. Panet Mr J T Taschereau

Mr F Bedard, Mr J L. Borgia, and Dr Blanchet dismissing them from their situations as officers of Militia and to Mr Planté dismissing from the office of Inspector of the King's domain and clerk of the Papier Terrier as also of a Letter to the Hon'ble G Taschereau Esquire desiring that his Son Mr J T Taschereau should be no longer employed as his Deputy in the office of Grand Voyer for the District of Quebec, and in all which Letters, the reasons of dismissal are assigned

I have to return my most respectful thanks to His Excellency for his condescension in making this communication which I beg leave to express through you

Mr Michael, who carried down the memorial to Mr Erskine about the seizure of the Boats at Niagara is already returned having found him at Philadelphia from whence he immediately returned to New York with a dispatch to Mr Gallatin then there — From that gentleman however no satisfaction could be had, as he would not interfere in any shape, until he had received the report of the seizing officer which could not be before his return to Washington.

He seemed however to justify instead of condemn the requirement of an entry and report to their Custom Houses, even when only coasting their shore for an ulterior destination, which principle has never before been acted upon, but in one instance where the decision of their own courts was adverse thereto, nor can it ever be admitted by British Subjects, without rendering the right of Navigation by Treaty nugatory, or even worse as a Trap for our Trade thereby to expose it to vexations that must speedily produce its annihilation — This probably is their object There is such a want of good faith on the part of America in the execution of all Treaties, that we have been from first to last completely duped by giving up a substantial something to receive what by their practical exposition may amount to nothing, or even worse than nothing an actual loss of property

From this little specimen at Niagara it may be seen how Jonathan would illustrate his favorite doctrine of the Liberty of the Seas, if he possessed the power of the British Navy

Mr Michael on his return to New York, found there Mr Nichol the person dispatched by our agents at Niagara on the same business, and who intending to proceed on to Washington to obtain a final answer it became unnecessary for the former to go there also — This is the reason of his bringing no dispatch for the Governor in chief as when he left Mr Erskine at Philadelphia, it was under the impression of again seeing him — He forwards to-day a Letter from Mr Bond —

The last Raft on Lake Champlain has been brought in by force — There was a good deal of firing with Ball between the people of the Raft and Militia but no lives lost although both sides seem to have been in earnest

I very respectfully am
Sir
Your Most Obedt Servant.

JOHN RICHARDSON

Herman W Ryland, Esquire
Endorsed
20th June 1808

From Mr Richardson in answer to the letter announcing the removal of certain persons engaged in publishing the Canadien

FROM JAMES MADISON TO D. M. ERSKINE

Department of State
June 29th 1808

Sir

Your Letter of the 21st Inst on the Subject of the detention by the Collector of Niagara of certain Boats belonging to Canadian Merchants engaged in the Indian Trade was duly received and communicated without delay to the Secretary of the Treasury on his return to this City. The enclosed Copy of his instructions (*) to the Collector will explain the Interposition which has been thought best adapted to the Case under the imperfect knowledge yet obtained of the Circumstances. I will make no other addition to it therefore than merely to observe that if as the Agents of the Montreal Merchants seem to be aware, the Law of the United States was violated without any other Plea except that of Ignorance the Tone of their Complaint ought to have been very different and that a resort to the Justice of the Government of the United States, in all Cases to which it is applicable will always be found by the Officers of His Britannic Majesty the most efficient as well as the most suitable Course for their adoption

FROM D. M. ERSKINE TO FRANCIS GORE

Philadelphia July 4th 1808

Sir

I had the Honor to receive your Letter of the 20th of May with its several Inclosures respecting the seizure & Deten

tion by the Collector of Niagara of certain Boats belonging to the Merchants in Canada engaged in the Trade with the Indians.

---

* These last instructions order the Boats to be released by the Collector who is to "take Security for the Goods to abide the Decision." &c.

The inclosed Letter will explain the Result of my Application to the Government of the United States upon the Subject & Mr. Nicholl is the bearer of the Instructions (referred to in Mr. Madison's Letter) which have been given by the Secretary of the Treasury to the Collector of Niagara upon the Occasion.

And I have forwarded to Sir James Craig Copies of the Correspondence which has passed upon the Subject between the Government & myself which I have not put under a flying Seal for fear you might not happen to be at the Seat of Government, but request the favor of you to open them & after having read them to transmit them to Sir James Craig the Governor in Chief by the earliest Conveyance.

(Sundries, U. C. 1808.)

Signs of unrest and discontent among the Six Nations in Upper Canada and the United States were apparent and did not fail to cause considerable anxiety.

FROM WILLIAM CLAUS TO PRIDEAUX SELBY

Fort George 10th August 1808

Sir

A vast number of Indians are at this Post just now, upwards of one hundred & sixty, several from the Grand River who complain of the great distress they are in for Bread, those who I find are in real want and not through Idleness or their having sold their Corn, I will give them a little relief, it will not be Long before the Corn will be fit to use consequently Less flour will be given them than otherwise — The others from Buffaloe Creek and that Neighborhood. I met them this day when they Declared very Positively that the statement made by their Interpreter respecting the war Belt being given to them by me was unjust and Denyed that they ever told the Interpreter or the Agent Mr. Grenger any such thing — That in their Council Last spring they shewed the Belt which I gave them on the difference between the Grand River Indians being made up, which Belt was to cover all past Animosity. They then told me that they had come to a Determination to sit quiet in case of any quarrel between the King and America and not to spill the Blood of the white men and that their Friendship for the King was firm — I merely returned them the usual compliment and said very Little more to them to shew them that I was not pleased with their Conduct — The Missisagoes are also here to the Number of 51 they are very inquisitive about the additional Payment for the Lands they sold three years ago on the subject of which I would be glad to hear

The Requisition for the post has not been completed and what with those things sent to Amherstburg Last fall and the great Demand on the Store of *This* Post for the payment of *all* public Service performed by Indians will reduce Our Annual presents very considerably indeed.

I am Sir &c

W Claus

P *Selby* Esquire
&c. &c.

(Claus Papers Vol 9 pp 239 240)

The following letter which is unsigned but initialled by the Governor General for transmission to the Colonial Office was probably written by John Norton who had acquired great influence among the Six Nations of the Grand River

Grand River 10th August 1808

Dear Sir

Your intention to attempt the civilization of the Tribes within the British Limits, as also the present appearance of the disposition of the Americans which indicate that it is not improbable for a rupture to take place between them and the British Empire induce me to give some Ideas of our situation, it striking me forcibly that either to civilize the Tribes or to hold them in a situation ready to give assistance to the British Government it is necessary that their settlements should be more compact than they are at present.

The intention of the Americans towards the Tribes is sufficiently clear the annuities they allow them for the lands they have usurped are intended to sooth them, and retain them within their power The Senecas or Oudowages who are the most numerous branch of the five Nations are detained within their Limits by this measure an annuity arising from the Lands they have relinquished amounting to something more than 6000 Dollars is paid the Nation which divided gives 3 Dollars to each person several of the Principal Chiefs receive annually from 100 to 300 Dollars thus Interest retains them contrary to their affections for I feel assured that they are more sincerely attached to the British and to their Brethren here than they are to the Americans. The Oudowages and Cayugas received annuities for their lands 2 500 Dollars each Nation these have suffered a considerable Diminution this year through the medium of those of the Nation who remain within the American Bound

ary but whether at their instigation or not I cannot pretend to say

As the Tribes are under the protection of the British Government and the Annuities are more than a just debt, would it be improper for His Majesty to interfere and insure the payment of them to the Tribes should they remove within the Limits of his government or should a War take place and they espouse his cause The whole amount of this which is the only support of the American influence with the five Nations falls short of 12 000 Dollars Yearly, a sum not at all to be compared to the great Expense of the Indian Department. The sale of a few Townships of land made by Government in this Country might raise a sufficient sum to create such an annuity

After breaking the bands of American influence the next thing to be effected is to collect the Five Nations in One Settlement either on the Grand River or to the Westward of the River Thames towards the Shores of Lake Huron, in the first situation they would be more under the eye of Government, in the latter more conveniently situated to serve them in negociations with the Western Tribes and less exposed to be contaminated by the vices of those kind of people that are continually crowding into New Settlements 1200 Men collected into one settlement might be more relied on in time of War than scattered Divisions and would require little more trouble to improve and Civilize than a settlement of a much smaller number

I have heard it remarked that something has been said at York respecting the policy it would be of to the Country to have the five Nations removed from the Grand River to a more westerly situation but I am glad to hear also that His Excellency the Lt Governor observed he would do nothing in it unless it should be proposed by the Five Nations themselves

As this subject has been started I shall give you my private opinion on it. The grant of General Haldimand is so long and narrow and the settlements so near as that it is impossible for us to keep liquor from among us, unless when the people have resolution to refrain from drinking The people would be more distant from the Americans consequently less liable to be corrupted by their Intrigues. More approximate to the Chippawas Ottawas, Poutawatamies Shawanoes, Wyandots Miamis and others from the Southward that might be collected between the Lakes and the Mississippi as I have already mentioned in a Letter to Mr W

On the other hand as the Grand River lands are of such higher value from their situation than any we could receive

on Lake Huron (lands not equal in fertility for five miles from us selling now for five and six dollars an acre) it would be neither reasonable nor just to obtain them from the five Nations and grant them away to others neither would it be to the advantage of the Country. The Government should first take a view of the whole, and provide that none of the Industrious be injured by the change by giving individual grants to every Family or Man that had made any improvement according to the extent of their improvements then the sale of the remainder to be made under the inspection of Government, and after securing annuities superior to those paid by the Americans with the remainder purchase a tract from the Chippawas on Lake Huron such as might be chosen by the Five Nations convincing them in the whole proceeding that the Grant of General Haldimand was not violated but changed to remedy the difficulties it had been involved in.

As the lands on Lake Huron from their situation are not likely to be wanted by Government this Century the same extent should be given to the Five Nations as General Haldimand granted only in a different form instead of 120 by 12 let it be 50 by 30 a Mission might there be established for giving Religious Instruction and a Seminary formed to instruct the Youth in Agriculture and Letters.

For the encouragement of Industry a Trader should be placed on our settlement with useful Articles, such as Blankets, Woollens, Cottons, Iron, cutlery, and ammunition, with these to purchase Wheat and Pork as well as skins the money of the Five Nations placed in the bank by the Agents of Government might in that manner be turned to the Support of Industry, those cultivators of known industry and economy might be allowed to borrow of the public to half the amount of the property they possess in improvements, cattle &c. or mortgaging the same for the payment to pay annually the interest and so much of the principal as to discharge the whole in twenty years or sooner should he who borrows see fit.

Many are the obstructions and clogs to industry existing in the customs of the Five Nations, more than in any constitutional Indolence. I know it because I have felt the inconvenience myself, but if we can make a good road I feel assured that there will be some to walk on it and time may at last effect the desirable change.

The Mohawks are improving rapidly there are several so much agriculturists as to raise three or four hundred bushels of Wheat in the Year those who suppose that the being farmers will debilitate them from being Hunters are mistaken. The most industrious at the plough, generally shew themselves the most persevering at the chase when in Winter they throw aside the hoe and take up the gun.

I wish you to understand this not as proposal from me, but rather as the most equitable and justifiable method to be taken by Government should the supposed good of the Colony induce them to desire any further relinquishment of the claims of the Five Nations, and should such a change take place, the tract of land given in exchange should be sufficiently capacious to assemble therein all the Tribes of Upper Canada. Their being collected in a body would be more for the good of the Empire in case of a War, and a teacher with little more exertion would be in a situation of aiding the cause of religion much more extensively, as a fowler who fires at a great flock of Pigeons has a chance of killing many more than if he had shot at a few.

The influence of Government might also be maintained among them by a resident on the spot much more effectually than it can be by a Superintendent General at the distance of some 100 Miles, frequently unacquainted with the Tribes they superintend.

The great expence the Government is at in sending out goods and employing Store Keepers and Clerks, might be rendered unnecessary by furnishing an annuity in the manner I have already explain to counterpoise that given by the Americans, and a respectable trader appointed by your intended society would furnish the necessary Merchandise according to the actual wants of the Individuals. Only in case of War the Arms, Ammunition and clothing wanting for those who embodied themselves to serve might be furnished by Government.

The situation of the British in this Country is at present very similar to that of the French at a former Period. The great disparity of the force of this Province to that of the United States & an inland situation renders an alliance necessary and except the Senecas whose Character Mr. T. does not seem to be acquainted with, the Aborigines are natural Allies from their antipathy to the Americans and Affection to His Majesty. The French to secure more effectually the services of the Tribes always used their utmost endeavours to have their settlements compact which they effected in the Neighbourhood of Detroit on the Wabache & near Montreal. The latter consisting of the Catholic Mohawks and a few Kadonudacks are at present the only remains of this management, in three Villages not very distant from each other, there is upwards of six hundred Warriors.

In the present situation of things, this Province is much exposed to any sudden attack of the Americans, particularly should they commence hostilities at a season when assistance could not be readily obtained from Europe, and to keep up constantly a Military Establishment adequate to the defence of so extensive a Province the expense would be enormous.

To remedy this inconvenience a Military Settlement might be formed in some Townships of the Crown lands, composed of a few thousand Veterans, who would receive their lands on condition of holding themselves in readiness at the call of Government to serve in Defence of the Country. Although as strangers they might at first find difficulties in settling a country so different from their own, yet with a little well administered assistance at the commencement and giving proper encouragement to some loyal Americans to mix with them they might soon obtain a comfortable living.

Such a well disciplined Militia together with our Tribes & the loyal part of the Militia of the Province might form a sufficient Army of defence for any sudden emergency.

J. H. C.

Early in the year 1808, the Public School for the District of Niagara, otherwise sometimes known as the Niagara Grammar School, in accordance with the terms of the public school act of 1807, was established in the town of Niagara. The trustees, nominated by the Lieutenant Governor, were Hon. Robert Hamilton, Thomas Clark, William Dickson, Robert Kerr, Thomas Cummings, James Muirhead and John Symington. The Reverend John Burns, the resident minister of the Presbyterian churches in Niagara and Stamford, was appointed teacher by them. The sum of £100 was allotted from the provincial treasury toward the maintenance of each district school.

FROM ROBERT HAMILTON TO WILLIAM HALTON

Queenston, Aug. 22, 1808.

Sir,

The trustees for the public School at Niagara having rectified the Certificate for the Master's Salary I have now the honor to return that paper to you. I have in their Name to request that you will have the Goodness to place it where it may be efficient.

(Sundries U. C. 1808.)

Having been exiled from France, the distinguished General Moreau had lived quietly in the United States for several years. Popular rumour stated that in the event of a war with Great

Britain, he would be offered the command of an army for the invasion of Canada. This statement led to his unauthorized arrest while in Niagara after paying a visit to the falls.

FROM HENRY PROCTER TO COLONEL AENEAS SHAW

Fort George 15th September 1808

Sir

I have the honor to acknowledge your Letter of the 1st September which indisposition has prevented my doing sooner. In answer I have to acquaint you for the information of His Excellency the Lieut. Governor, that the French General Moreau was neither apprehended nor liberated by me; he arrived at the Inn at Newark on the Evening of the 27th Ultimo, where he remained, to the best of my information until the Morning of the 28th, when I saw him and informed him that not having the Sanction of His Excellency the Lieut. Governor he could not remain in the Province; he then acquainted me of his intention to leave the Province immediately by the same route he had entered it which I understand he did without loss of time. On my having asked him if he had any Passport, he acquainted me that he had sent from Buffaloe to the Magistrate at Fort Erie to know if there was any objection to his entering the Province whose answer was that he knew of none. General Moreau I understand was apprehended and liberated by Colonel Clench, not having any Authority to interrogate him or others concerned. I must beg leave to refer you to him for the particulars of the General's Apprehension &c.

(Sundries U. C. 1808.)

Captain Cowan, whose death is recorded in the next letter, had served in the Royal Navy for four years and afterwards commanded a ship for twenty eight years on Lake Erie in the provincial marine. He was one of the members for the county of Essex in the fourth provincial parliament from 1804 until 1808, and owned a farm near Fort Erie, where he operated for some time the international ferry to Black Rock.

FROM HENRY PROCTER TO WILLIAM HALTON

Fort George
September 25 1808

Sir

I am sorry to inform you of the Death of David Cowan Esqr. Commander of His Majesty's Snow Camden which occurred on the 24th Instant at Fort Erie.

I beg leave to say that this is not the first Occasion I have had to regret the Want of medical skill at Fort Erie

(Sundries U. C. 1808.)

The supply of the troops in garrison and other military departments created a considerable demand for fresh provisions and flour which were usually supplied by local contractors.

FROM JOHN McGILL TO FRANCIS GORE

York 15th October 1808

Sir

In obedience to your Excellency's order of the 16th August 1808 I have the honor to Report that I have agreed for a Supply of Fresh Beef which is to be furnished to the Troops and Military Departments in Upper Canada by the quarter during the undermentioned periods and at the prices stated after each Post viz.

Fort George—David Secord from 25th September to the 31st December 1808 at Two pence half penny per pound and from 1st January to 24th March 1809 at three pence Halifax Currency per pound.

Chippawa & Fort Erie—Samuel Street Junr from 10th October to 31st December 1808 at One pound two shillings and six pence Halifax Currency for every One hundred pounds of Beef

(Sundries U. C. 1808.)

Another visit by the Lieut. Governor to Niagara at the end of this month was briefly recorded in the *Upper Canada Gazette* of October 22.

'On the 17th instant his Excellency the Lieut. Governor and Major Halton sailed for Niagara in the *Toronto Yacht*. It was His Excellency's intention to have gone there on Monday last. He embarked for the purpose and received an honorary salute from the Garrison. Excessive gales and a succession of head winds delayed his proceeding until Thursday morning.

His return in the same ship on November 6 was subsequently reported.

The great delay of the United States government in investigating the complaints of the proprietors of the boats which had been irregularly seized by the collector of Fort Niagara provoked another forcible petition from them, probably prepared by the Hon. John Richardson, then a member of the Executive Council of Lower Canada.

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of the Bath, Captain General and Governor in Chief in and over the Provinces of Lower Canada, Upper Canada, Nova Scotia, New-Brunswick, and their several dependencies, Vice Admiral of the same, General and Commander of all His Majesty's Forces in the said Provinces and their several dependencies, and in the Island of Newfoundland &c. &c. &c.

The Memorial of the Merchants of Montreal carrying on Trade to Michilimackinac and the Indian Country within the Territory of the United States.

Most respectfully Sheweth

That it is with great regret they find themselves under the necessity of again troubling your Excellency with their complaints against Officers of the Government of the United States but the necessity arises from the outrage committed and before complained of being still unredressed.

That the subject may be fully before your Excellency without reference to their former Memorial, they take the liberty of again stating the facts with such observations thereon as circumstances so extraordinary suggest.

The case stands thus. — The Company trading from Montreal under the Firm of the Michilimackinac Company, who are Subjects of His Majesty, dispatched early in May last from La Chine a number of Batteaux or Boats laden with Merchandise intended eventually for Trade to the Indian Country, and which were ordered to proceed, and were proceeding by the accustomed route (being that uniformly practised since the cession of the Posts by the Treaty of 1794) up the River Saint Lawrence and round the Lakes to the *Island of St Josephs* a British Post (without an idea of intermediate Trade) at which Post they were to be met by the Agents of the Company (who went up by the Ottawa River) and there to receive instructions respecting their ulterior destination. A considerable time previous to the departure of those Boats, a mission was sent to Washington under the Sanction of your Excellency to ascertain through His Majesty's Minister there whether it were the intention of the American Government to continue to act upon the permanent part of the Treaty of 1794 as to the Admission of British Subjects to participate in the *Indian Trade within their Territory*, or to consider it as at an end, that upon such ascertainment the Agents of the Company at Saint Josephs were to regulate their further proceedings after the arrival of the said Boats at that British Post. At the departure of those Boats from LaChine the answer from Washington was not received.

The object of such ascertainment had no relation to the *navigation by the usual route round the Lakes*, such being considered common right unquestionably secured by Treaty and foreign to that respecting Trade within American Territory. Accordingly the Boats proceeded onwards in full faith and confidence, that whatsoever might be the determination of the American Government respecting the said Indian Trade, the common use of the waters along the internal communication dividing the two Countries, would still be held sacred.

Those Boats went forward as usual without interruption untill the 21st day of May last, when the first division of them arrived at the entrance of Niagara River from Lake Ontario, where there are *British* and *American* Garrisons nearly opposite to each other. In the middle waters of that River, or even nearer to the *former* than the *latter* Garrison the Boats were fired upon with Musket Ball by a party of Soldiers in a Boat dispatched from the American Fort, when Two with their Cargoes were forcibly seized and carried back to the American Garrison, and three got over the British side, after the Crews had narrowly escaped death; for so near were they to the British side when fired upon, and so marked the Hostility of the procedure that some of the Balls, fired, reached the Land on that side.

Those who committed this outrage, having learnt that other Boats belonging to the same Company were following along Lake Ontario, a Boat with Soldiers was dispatched from the American Fort to intercept them, and succeeded in forcibly [illegible] in the open Lake, making in all Eight Boats, the whole of which with their Cargoes have been since unjustly detained in direct violation of the Treaty of 1794, and to the great injury and heavy loss of the same Michilimackinac Company.

Not satisfied with this signal outrage upon the Stipulations of that Treaty, an American Boat with Soldiers proceeded to a much greater distance along the Lake to seize also nine other Boats still further behind and actually pursued them above Thirty miles; but in that superlatively aggravated intention they were happily foiled, as those Nine boats had received intimation of what had passed by one dispatched from the British side which occasioned their return to Kingston, from whence they proceeded round by the North side of Lake Ontario, after a great number of the Men had in consequence of this violent attack deserted, who were replaced by others hired and sent up from Montreal at a heavy expense.

Application in consequence of the Outrage and Seizure was under the Sanction of your Excellency, made by His

Majesty's Ministers to the Government of the United States for reparation and an order thereon was issued by the Secretary of the American Treasury to restore the Boats and property so seized but upon condition of giving Bond in double the value to abide by the decision of the American Courts, and requiring other preliminaries which could not be agreed to by the Memorialists without acknowledging American Jurisdiction in a question foreign to it and thereby abandoning the strong ground whereon they stand as British Subjects pursuing their lawful business under common rights of free Navigation solemnly secured by the Treaty of 1794 (whereby the Post of Niagara from whence the said Outrage was committed was delivered up to the States) and especially the Third Article of that Treaty.

Their property therefore remains detained in custody of the Customs House Officer of the United States at Niagara upon the pretext of awaiting a decision in their Courts to the Competency of which the Memorialists object and maintain that the question is alone determinable by the Government of the Two Countries as involving matter of serious National insult as well as infringement of private British rights founded upon National compact

In support of this view of the subject, the Memorialists [illegible] therefore to your Excellency [illegible] that by the 3d permanent Article of the Treaty of 1794 His Majesty's subjects and the Citizens of the United States have common and equal rights to the free navigation of the waters where the seizure was made which being the result of a joint stipulation no impediment to such free navigation can be legally interposed by any Legislative Act or proceeding of any Officer of *One* of the contracting parties, to effect the rights of the subjects of the *other* party without the previous consent of their Sovereign. Upon this principle the Michilimackinac Company contend that neither the American Embargo non Importation or any other act of the States can govern the present case or controul or regulate the rights of Navigation stipulated by the said Treaty

That the requirement of British Boats, when coasting the Lakes from One British Port to another to report or make entry at American Custom Houses (when there is no intention of Trade) would amount to a controul regulation and impediment of the Lake Navigation to the destruction of its freedom and wholly foreign to the intention of the contracting parties, as will be seen by reference to the Treaty which Specially Stipulates for allowing regulation to the exercise of River Navigation in small vessels between Montreal and Quebec and for the free passage of goods across Portages, in order to prevent frauds, but authorizes no other regulation whatsoever. Consequently if a Special provision was needful to authorize regulation in respect to such rights, as were to be exercised within the Acknowledged exclusive Territory and jurisdiction of one party, how much more necessary would special Stipulation have been to authorize either party by its separate act to regulate objects common to both, such as particularly is the navigation of Waters dividing their respective Territories.

The Memorialists have understood that the Custom House Officer who directed the seizure of the Boats, pretends to justify himself upon the ground that the Boats could not have coasted the Lake without touching the Land, although he neither had or could have a knowledge whether such was the fact, but this is a mere subterfuge, for the right of Lake Navigation common to both Nations necessarily implies its being exercised in a way practicable to the Vessel Navigating, whether *Decked* or *Open*. If the *former*, she must sometime anchor when the wind is contrary, and if the *latter* stop on the beach without any infringement on point of good faith, when there is no purpose of trade or any object Stopping beyond the necessity of waiting for wind, weather, or daylight to resume the voyage.

Such a quibble would render the object of the contracting parties a mere nullity, and were a common highway the boundary between two adjoining Nations, as well might it be agreed that the fair use of a resting place on either side, occasionally to relieve a weary Traveller, would be prohibited in the exercise of the right of free passage.

The outrage complained of involves two distinct points of consideration. One affecting the National dignity by the insult offered thereto in sight of a British Garrison, and in [illegible] of common right, by the marked Hostility of firing upon His Majesty's Subjects when defenceless, by Armed Soldiers of the United States. The other, an attack upon the rights and property of British Subjects, whereby they have sustained great pecuniary loss and damage requiring indemnity.

As to the first point, the Memorialists consider that it would be presumptuous in them to suggest the quantum or kind of redress fit to be insisted upon. Such remains with His Majesty's Ministers, but they cannot avoid observing that it is not a little extraordinary that those who are so clamorous for general free Navigation, in cases authorized neither by the Law or practice of Nations should themselves so arrogantly violate the rights of fair Lake Navigation, when specially secured by a compact to which they are a party, and that those who were so irritable in the case of the Chesapeake, when a provocation not to be borne was previously given by them should so unfeelingly fire without any notice upon unarmed men, who never afforded them even a shadow of pretence for so doing

As to the Second point Viz. The heavy loss and damage sustained by the seizure of their property a Statement of which is annexed the Memorialists entreat, that your Excellency will be pleased to lay the same before His Majesty's Minister, that a full pecuniary indemnity to them for the injury in all its consequences may be demanded and obtained from the Government of the United States.

Such cannot be less than £20 000 exclusive of the actual cost and charges of the goods, and absolute disbursements in various ways made respecting the same, making in the whole the sum of £26842 5 6 Sterling. The said sum will be found moderate, when it is considered that the value of the year's Outfit for the Trade exceeds £80 000. The plans for which were not only deranged by the Seizure of goods forming a necessary part of the assortment but the discouragement of the Partners, Clerks and Men of the Concern who winter among the Indians, has thereby been such as to create a despair of success and consequently will produce a diminution of exertion when they see so evident a proof of a plan to render it unavailing

The above however are not the only grievances respecting the United States, of which the Memorialists have had to complain in common with other British Subjects within the American Territory, for they have long suffered under the requirement of greater exaction in duties and vexations in various ways which the Treaty according to its fair intent and meaning does not authorise as what can be more evasive oppressive and preposterous than the American mode of exacting the duties on goods carried by British Subjects from Canada into the American Territory upon a *scale of calcule* on that in its principles might in some cases subject them to the payment of nearly double duty and in no case on articles rated ad valorem does it amount to less than an eighth part more duty than is paid on the like articles by an American at an Atlantic Port

Surely such could never be the meaning of a Stipulation about duties made for the very purpose of assuming an equality in that respect, to Indian Traders whether British or American wherever they might come into contact

The Memorialists have for some time seen progressing with extreme concern a systematic plan to drive the British Indian Traders from the American Territory by every species of vexation and they must soon succeed if His Majesty's Government does not take up their cause with decision for it was with feelings of a very unpleasant kind that they found the

Negociators with America appointed under the late Ministry, postpone the discussion of their grievances (although fully represented) to an indefinite period without any Stipulation for the remission of those fiscal exactions, under which they were and are in the meantime suffering.

The Memorialists therefore take the liberty of impressing upon your Excellency's attention for the information of His Majesty's Ministers the following consideration. That the Indian Trade within the American limits must speedily be abandoned by British Subjects if not protected against interruptions of free Navigation of the Lakes Fiscal exactions and various vexations. That if once abandoned it can never be regained and with its abandonment will finish British influence with the Indian Nations residing without the limits of Canada. That British Traders have materially aided in preserving that influence hitherto, the conviction of which is the strong motive with the American Government for wishing by every means they can devise to exclude such Traders.

If therefore the minds of His Majesty's Ministers shall be made up to the loss of that portion of Indian Trade carried on within the American Territory (which indeed is nearly the whole excepting the North West) and to the extinction of influence among the Indian Tribes as above said, then in such case it will only be necessary to obtain reimbursement to British Traders of past fiscal exactions and indemnity for the losses and damage consequent upon the late seizure of the property of the Michilimackinac Company as also a consideration for the abandonment of their establishment in the Indian Country. But if His Majesty's Government shall consider such Trade and influence as fit to be preserved this can only be done by obtaining reimbursement and indemnity for both in respect to the past, and assurance of exemption for impositions and vexations in future. And further the Memorialists are of opinion that if British Traders do not obtain the right of going to the West side of the Mississippi to trade as heretofore (the exclusion from which the Americans are now about rigidly enforcing, upon pretext of that Country not being comprehended in the Treaty of 1794) they must in any event soon abandon the Trade in the east of the Mississippi as an object not worth pursuing.

The Memorialists consider it proper to add that they are able to substantiate the various facts herein set forth. They therefore most respectfully entreat Your Excellency to lay their complaints and observations before His Majesty's Ministers that such measures may be adopted as in their wisdom shall seem meet for obtaining the needful redress in the premises, and they were ever pray &c.

Montreal, 20th October 1808.

FORSYTH, RICHARDSON & CO.
M'TAVISH MCGILLIVRAY & CO.
JAMES & AND MCGILL & CO.
PARKER, GERRARD OGILVY & CO.

Estimate of the Loading of Eight Batteaux or Boats, the property of the Michilimackinac Company seized on the Waters of Lake Ontario and in the Entrance of Niagara River by John Lees Collector of the American Custom of the Port of Niagara on the 21st, May, 1808 with the various Expences and Damages incurred in consequence of said Seizure.

Prime Cost and Charges at Montreal of the goods	5218 11 5
The Expence of these Boats including Men's wages, provisions &c	828 6
Expences incurred by desertion of Men in consequence of the seizure, Mens Wages to replace the Deserters, provisions	578.13 7
Expences incurred by Messrs Michaels & Nichols on their mission to Washington & Mr Blackleys to Niagara	225
Injury sustained by the Seizure in derangement of the Trade &c. &c. Our Business was at a Stand for a considerable time not knowing whether the rest of the Boats might not meet the same fate the progress of our Affairs was thereby arrested at St. Joseph, and the whole of our Goods to make out our Outfit eventually dismembered which were in consequence made very deficient and incomplete more particularly with respect to Guns Gunpowder and Blankets Articles indispensable in our Trade from this circumstance results many doubts in the minds of the people in general and particularly the Indians with respect to our rights within the American Jurisdiction which threw a damp on our Credit in the Country and may lead to the most injurious consequences.	2[illegible] 000
Sterling	£26 842.5 4

Montreal 20th October 1808

FORSYTH RICHARDSON & CO.
M'TAVISH MCGILLIVRAY & CO
JAMES & AND MCGILL & CO.
PARKER GERRARD OGILVY & CO

(Endorsed —

Memorial of Merchants at Montreal 1808)

It was accompanied by the following letter addressed to the governor general's private secretary:

Montreal, 15th December 1808

Dear Sir —

The propositions before Congress for non intercourse will, if carried into a Law so seriously affect the interest of the Michilimackinac company who have a very large property now within the American Territory in the Indian Country and the nature of whose Trade requires expensive preparations to be made during the winter for that of next season that it is of essential importance to them to ascertain with as little delay as possible whether the non intercourse is intended to do away the permanent part of the Treaty of 1794, or if there will be a special exception in regard to the Indian Trade carried on by British Subjects from Canada as was the case in the existing non importation and embargo Acts. —

I am therefore directed by that Company to request you will have the goodness to communicate to His Excellency the Governor in Chief their intentions of sending to Washington a person with a Letter to His Majesty's Minister there for the purpose of soliciting his aid to ascertain the intended operation upon Indian Trade from Canada, of the said propositions.

They most respectfully entreat His Excellency that he will be pleased to recommend to Mr Erskine the obtaining the information in question as involving momentous consequences to the property and interests of many British Subjects.

The person intended to be sent to Washington will remain for Mr Erskine's answer and will be one in whom every confidence may be reposed as to safe delivery of any despatch which His Excellency the Governor in Chief may see fit to send as also to bring safely back any despatch which may be confided to him but will not possess sufficient understanding to be entrusted with personal communications being only a faithful servant, who is acquainted with the route and mode of travelling in the States.

He will pass through New York and could leave with His Majesty's Consul there any dispatches or letters intended for England by the Packet —

I have therefore very respectfully to request His Excellency that such dispatches as he may be pleased to send for that conveyance be transmitted to me as early as his convenience will allow of —

[illegible] respect and regard.

Dear Sir

Your most Obedient and Humble

Servant.

JOHN RICHARDSON on behalf

of the Michilimac Co.

Herman W Ryland Esquire

Endorsed

15th Dec 1808

From Mr Richardson

The writer of the following letter was for many years one of the principal merchants of Niagara and its first post master, a justice of the peace and commissioner of highways.

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 29 Decr 1808

Dear Sir —

It is rumoured here that Government are about to dispose of the Land at the sixteen Mile Creek in this District (containing the salt springs) upon certain terms.

Being at present out of business and of a disposition for exploring I am vain enough to imagine that in the possession of them they would be of greater benefit to the public than they are at present.

At the same time far be it that I should in the most remote degree Aim at the rights of others.

A Line from you on the above subject will greatly oblige

(Sundries, U C 1808.)

James Crooks was another energetic merchant, who was one of the first, if not the very first of the persons, who shipped flour to Lower Canada. He had lately married Jane, eldest daughter of Thomas Cummings of Chippawa, who was engaged in the same business. The right of developing water power above Niagara Falls had been the subject of many previous applications.

FROM JAMES CROOKS TO WILLIAM HALTON

Niagara 16th March 1809

Sir

When at York a short time ago I had the honor of sub-mitting to the consideration of His Excellency the Lieut Governor the Petition which I now beg leave to inclose the prayer of which is to solicit a Grant of some small Islands in the River Niagara nearly Opposite to the Bridgewater Mills, with the view to the erection of similar ones and other Machinery of which this flourishing part of the Province placed under His Excellency's care stands greatly in need of —

I owe an apology for obtruding again upon His Excellency's most precious time after the answer he was pleased to make that he could not Grant Islands, but the importance of the Application as well to myself as to the Country impels me to the hope that His Excellency viewing it in relation to the latter may be pleased to point out the channel thro which application should be made And by giving his sanction promote it.

Should his Excellency be pleased to give to this applicant any of his attention you will by communicating confer a favor on

Sir

Your most Obedient &c

JAS CROOKS

(Sundries U C 1809)

John Warren who had entered the army as a drummer boy had been assistant commissary general at Fort Erie for about thirty years and when it was created a port of entry he was appointed collector of customs and inspector of flour and pot and pearl ashes He retained the former office until his death. He was named as a magistrate in the first commission of the peace and commanded the third regiment of Lincoln militia for many years.

FROM JOHN WARREN TO WILLIAM HALTON

Fort Erie 6th April 1809

Sir

His Excellency the late Lieutenant Governor was pleased to grant me the appointment of Inspector of Flour and Pot and Pearl Ashes for the District of Niagara my advanced Age renders me incompetent to the Duty I therefore beg leave to submit to His Excellency Lieutenant Governor Gore the propriety of my resigning said appointment humbly requesting his permission to do so. It is not for me to presume to recommend any Person for the appointment, yet I humbly beg leave to say I do not know any Person more fit than Mr John Muirhead of Chippawa nor should I even have attempted to mention him, was it not that His Excellency's goodness might induce him to think that I might wish it for one of my Sons, which I truly do not, nor would the appointment suit them. —

(Sundries U C 1809.)

The imposition of fine upon indigent offenders some times was attended by awkward consequences and required the intervention of the magistrates to obtain a remission of the sentence

PETITION OF MAGISTRATES OF NIAGARA

To His Excellency Francis Gore Esquire Lieutenant Governor of the Province of Upper Canada, &c &c &c

The Respectful representation of the undersigned being Justices of the Peace in and for the district of Niagara

Humbly Sheweth

That at the last General Quarter Sessions of the Peace held at Niagara, in the month of April now last past certain men named John Shaw James Conway Elisha Bundy Cornelius Barns, J V Lambert, James Harris, and William Ingram were indicted and convicted of an Assault and false imprisonment on the person of one Zach. Harvey a Citizen of the United States.

That the judgement of the Court was that each of them should pay a fine to the King of Ten Pounds Currency besides an Imprisonment of two months in the Common Gaol

That the term of their Imprisonment is nearly expired, but they are totally incompetent to pay the respective fines imposed upon them, and that without Your Excellency's benign interposition they must suffer a perpetual imprisonment.

The Justices aforesaid take the liberty to represent to your Excellency that from Circumstances that have since come to their knowledge, had these been known at the time the Fines would not have been imposed or at least greatly lessened —

Wherefore the undersigned Justices respectfully request your Excellency would remit the aforesaid Fines as Imposed on each —

Saml Street J P
Robert Kerr J P — Robt Addison J P
Thomas Dickson J P — J Ball J P
Thomas Clark J P — J Muirhead J P
John Ball J P

Niagara 5th June 1809

(Sundries. U C 1809.)

Since the organization of the province a considerable num ber of Mennonists and Tunkers, mainly Germans from Pennsylvania had come in and settled, for whose encouragement an act had been passed in 1793 by the provincial parliament exempting them from service in the militia on certain conditions. Their sons were now becoming liable to enrollment on attaining the age of sixteen.

THE PETITION OF MENNONISTS AND TUNKERS

To the Honorable the Speaker and Members of the House of Commons of Upper Canada in Parliament assembled

The Petition of the Society of people called Mennonists and Tunkers,

Humbley Sheweth

That by an Act of the Province passed in the thirty third year of His Majesty's reign Your Petitioners, after producing a certificate from three or four respectable people one of whom must be a preacher in the Society to which they belong shall pay in time of peace Four Dollars a year and in time of invasion or insurrection Twenty Dollars a year for which favorable law and liberty of conscience we are thankful to God and the Government under which we live. And whereas many of Our Sons now under age and incapable of judging in matters of conscience are not as yet actually considered as Church members and cannot of course secure the necessary certificates, we therefore humbly pray the same indulgence may be extended to them that is granted to ourselves, that is that they may be exempted from serving in the Militia by paying the commutation money until they arrive at the age of twenty one or until they be admitted as Church Members

And your Petitioners further pray that your Honorable Body will take into your consideration the many difficulties which poor people with large families have to labour under in new settlements and if you in your wisdom should deem meet to lessen the burden of our commutation money Your Petitioners, as in duty bound shall ever pray

This petition which was read in the Legislative Assembly on the 10th February 1810 was signed by two preachers, two elders and thirty five members of the Society of Mennonists and Tunkers who had become numerous in several townships of the Niagara district. Another petition to the same effect read the same day bore thirty four signatures, mostly in German script. An act was accordingly passed during the session for the relief of minors of the Societies of Mennonists and Tunkers.

The discontent existing among the Six Nations is shown in the following report from a veteran interpreter, frequently known by the name of St John, who had removed from the mouth of the Humber river to Ancaster, where he had built a flour mill, and in subsequent minutes of a council held with them.

FROM J. B. ROUSSEAU TO WILLIAM CLAUS

Ancaster March 1st 1809

Sir,

I have taken the earliest opportunity to transmit to you (John Fraser) an exact Translation of a speech made in Council by the Six Nations of the Grand River held at the Onondaga Village relative to their land Affairs as well as respecting the White Settlers on the said River and within its vicinity — I met there in Council pursuant to your desire and also their request

They have proposed to send you their resolves made in Council in Writing (which is according to a report made to me by John Fraser) but should it not come to hand in due time you can depend upon the reality of the inclosed. Why I say so, is because I have understood that since I left them they have either Added or altered their Minds in some respect.

During the time of the foregoing part of the Council Harahogah and ten other others of the tribe (of Mohawks) including Doctor Aaron seemed to agree to the resolutions of their Brethren excepting when it came to the determination of Mr Jones's land which did not appear consonant to his & their opinion, and in consequence thereof they left the Council before the issue of the business was closed. The different Nations met in Council were the following — Onondagas Senecas — Lower Kayugas — and the great part of the upper Kayugas excepting the little Chief Kachanion — Tuskaroras — Oquagas — excepting Joseph and the Oneidas — A Tuskarora Indian has lately arrived from the United States and used his influence among them exorting them to leave off the use of spirituous liquors, his prevalence has had the desired effect for the present — how long they will remain in sobriety will be better known hereafter. They have not appointed a number sufficient to transact their business which was according to request last fall but instead of following your desire have only nominated a few — which will more fully appear at their arrival at Fort George — with the translation of their Speech — for which purpose they are merely nominated to deliver the speech to you — its probable I shall be down about the time that the Indians deliver you their speech & if any difficulty should take place perhaps it may be in my power to explain it. The two Hurons was detained at the Council place about one Day

I am Sir &c

J B ROUSSEAU

Wm Claus Esqr
Dy Sup General
Indian Affairs &c

P.S I attended Council for the space of five Days before their business came to a determination

(Claus Papers. Vol 9 pp. 259 260)

PROCEEDINGS OF A COUNCIL WITH THE SIX NATIONS

At a meeting held at Fort George — Council House — Friday 10th March 1809 — with the Chiefs and Warriors of the 6 Nations at the Gd River.

After the D. S. G. returned their Message (4 Strings of Wampum) & saluted them Old Paterson a Mohawk got up & spoke as follows

Brother

I salute you in the Name of all the Nations from one place & desire you to listen to me you have many branches of business to attend but we have something now to communicate to you that comes from the bottom of our Hearts

When any business is to be done the Chiefs first assemble & consult & when the Chiefs find it of such a Nature that they can not settle it it is referred to the Warriors & should they not agree the Women take it up these customs are well known to you

Brother

When we first got acquainted with White people we had a person Peter to instruct us in our business after this Man your gd father Sir W Johnson came in his place he was our friend and when he gave us anything to drink he always told us to take it off from the Name he was very kind to us & never let us want he gave us every thing in good humour he got acquainted with our customs & manners & told us he thought he would put us in a better way of doing our business. his advice to us was to listen always to our Father the English King but that if we attended to the french that we would fall we saw his words were strong & told him we will attend to them it is a straight road & we shall certainly follow it & that we would always have some young men on the watch & if any

danger appeared he should know it & he promised to do the same by us & cautioned us against the white people who were making Settlements on the River & held us strong by the hand that none might break us loose from the King & said our Arms should be hung with silver that it might not take rust now

Brother

I have explained to you the whole of the early proceeding between your forefather & us. it is our firm desire that we should walk in the same road all the Chiefs here present remember those transactions & we remember he gave us every assistance when we were disturbed on the River he used all his influence to keep us united & we hope his gd Son will do the same for us— we still remember that when he laid down his head that we would have some difficulty

Brother

the bad Birds still fly about to you & us We bury that & not listen to them.

Old Clear Sky then addressed the Chiefs & Warriors & said after they consulted together on public business, they according to their old custom communicated the result to the Kings fire & that our young Chief Blank will speak & we desire the Supt. to listen

——spoke

Brother

You who have the charge of our affairs listen to us I speak as the Six Nations what I say now is their words and sentiments therefore listen attentively — we did not finish our business at the long House but have since met

Brother

The people our Brethren on the other side (Buffaloe Creek) have given up their claim to the Gen. Council fire which is kindled at the Gd. River at the Onondaga village — the last business done here was much to your satisfaction you expressed yourself so it was so to us it united us in a great measure therefore it must have been gratifying to us but there still appears to us some difficulty which we will relate to you. I am very sorry to inform you that notwithstanding all that the Chiefs have done that there is Something that affects us much & you also notwithstanding the Belts passed all round the Nations there is still something necessary —

Brethren (addressing the Indns.)

Listen to me when at the Head of the Lake last fall the business was defered untill we met at the Long house as there was something yet that was not right

Brother

You then strongly recommended to us to consult together at our Council fire & try our utmost to come together & let you know you requested us by Wampum to strengthen ourselves & be one & we came together & agreed upon our publick concerns & wished to appoint 15 or 20 principal men to transact the business for the whole of the Nations on the Grand River for these purposes we have used our utmost endeavours but have been so unfortunate as not to succeed I regret to say that you see two parties before you but do not look on us as the aggressors we are the Chiefs & great men one thing is the cause of our misfortune Land if this was removed we might perhaps come together I wish you to comprehend me it is not the large party that makes this difficulty — we have come to lay the business before you & request you to assist us we have laid the business before you & call on you for your help & we think you may be the means of doing every thing for us that we can wish & we have also made up our mind to keep our lands it never was the King's intention that we should part with them we do not want to throw them away what has been confirmed we have nothing more to say on & also some where there has been people settled for some time but there is others we wish to speak about those latter lands may be of some benefit to our rising generation

Brother

About 5 years ago we began to get some insight into our land business at the Council you held at the Grand River at that time we came to an agreement that you should have the charge of our money we wish to have some Security for the property sold, the King gave you & we wish you to continue the charge of our money & we request that the Governor would have the goodness to get us an acct of our money that is lodged in the Funds & the Interest arising therefrom Annually

Brother

We have been very foolish & parted with our lands we have grown wiser the Land sold to Stedman it appears great difficultys have arisen if we can with justice we wish to have it returned to us.

A tract of land on the Governor's road has been laid out as We are told for the payment of Surveys, we know nothing about it & wish it to be withheld again there is another man at the head of the Chippewa (Canby) who has got land on the same road it will make us poor none of the Chiefs know any thing about either & lower down Mr Mallory has got a piece of land, we know nothing about any of them A number of families who have settled on the road to Long Point (Mount pleasant) we receive no advantage whatever from them we wish that it may be leased for 20 years that we may get something for them & at the expiration to revert to us. there is one man in particular Andw Nelles we wish your attention here also — The Lands for Dr Ker's child & Brant Johnson we wish to remain just as they were neither to strengthen nor to weaken them. there are some people on Fairchild's Creek who are settled there without our knowledge. that Land on the road from the Head of the Lake given to Capt Brant we wish confirmed to Mrs. Brant.

Brother

I now go down the River there are some there in the same Situation without our knowledge by the Delaware Village, there is a Tract of Land for a Surveyor of 4800 acres we do not know any thing about it we wish it to be thrown into our Lands again (has as Mr Aton & the lower Kayugas doing by the advice of Mr. Phelps. It has been the wish of some to divide the Lands & the line to cross by Mount pleasant, this we never would consent to for many reasons, it would in the first place make a final division among us. & again as we are living in the Heart of our Father's Country we ought to be as one in case of any trouble that we might give him all our assistance in his troubles with his Enemies.

Brother

Here he repeated the speech delivered them by the Govr on his arrival in the Country.

Brother

We now request you to make him acquainted with our wish is that we may have a Deed for our Lands that remain as the white people are constantly throwing it up to us that we have no Land

NOTE With a View that they should get a Deed that they may Rob you of you Land — Three Names were mentioned John Thomas Wm Nelles.

Brother

We now come to the loss we have met with in our Mill being burnt we remember the Govr who died at Quebec sent a man to look for a good place to build a Mill for us when the old Mills were burnt Some years ago but he heard that Capt Brant was going to build a mill & he stoped we now in the Name of all the people on the Grand River ask our Father to Build us a Mill to grind flour & make bread as he did for us before we have also to ask of him to change the school master that we have as he will not attend to the Children & we wish to have a man to speak English.

11th March the Chiefs assembled at the D S G.s Quarters & after examining the plan of the Grand River & pointing out Several places that were occupied by people that they conceived had no right to settle on them finished by the Onondaga Chief laying his hand on a Spot of Land at the Mouth of Grand River & saying

Brother

The person who has been working for our benefit in our Land affairs for these 5 years we think we ought to give him something we therefore agree to let him have that Spot of Land at the Mouth of our River but we expect that he will always give us his advice & help us with our Lands and all other matters and where the Land is required he may be absent or Sick we expect that in that case he will find some body to do any thing that may be wanted by us.

Fort George Council Room
March 13th 1809 Present

Col Procter Commanding
W Claus D.S.G.
Major Short 41st Regt
W Saunders Lt & Adjt 41st Regt
Alex Ezge
Thos. Barnard Ensign 41st Regt.
David Price Benjn Fairchild
J. B. Rousseau Interpreters.

Blind Paterson spoke

Brother

The Great Spirit has been pleased to let us meet this morning at Our Fathers Council Fire to Speak in the presence of our Brothers the Officers of the Fort we return thanks to the Great Spirit & open your Ears that you may hear & and your Eyes that you may See

Brother

We met you here 3 days ago & talked over all our own old & early transactions with our forefathers & yours & I will now repeat the Same in the presence of our Brethren the red Coats

Here Paterson repeated what past on the 10th. The young

Onondaga Chief then spoke.

Brother

Listen, we now have met to finish our business here we

---

1 William Dickson

have told you before all that we have been about at our Council at the long house we have spoke about our Lands & now agree that the Surveyor (Jones) may have half of the Land at the Govr's Road (600 acres) but no more

We have many difficulties among our other white people that are settled on our Lands, they steal our Hogs work our Horses & we can get no redress & when we speak to them they throw it in our faces that we have no land & the upper part of the River we are told is not ours but belongs to the Chippawas this is very hard & we hope you will assist us. the Lawyer who helped us so long we wish to have confirmed to him the Land we gave him at the Mouth of the River & for which we expect he will always give us his advice in Land business & help, when those people rob us of our Cattle upon these terms we gave him the Land & we expect that he will give us in writing that assurance and that the D. S. G. & the Commdg Officer will sign it

Brother

We have something more to mention to you a Lawyer (Mr Borthwick) came to us some time ago & asked us for payment of a Note of hand that some of our Chiefs Lent their Names to for W. K. Smith & told us we had better pay him quietly that if we did not he would put us in Gaol this hurt us much now Brother we hope Mr Dickson will help us in these matters with your assistance —

Old Clear Sky

Chiefs & Warriors — It is customary among us when any person has any concern with us to give him a Name that we may know him the person whom we have given some Land to for doing Land business for him we call four Eyes — by which we shall after this know him.

W Claus D S G

(Claus Papers, Vol 9 pp. 263 279)

At the fall assizes a strong recommendation to mercy was made by the petit jury for one of the early settlers of Stamford who had been convicted of some unnamed offence It was supported by a petition signed by a number of the leading magistrates and many other respectable residents

Recommendation of the Petit Jury

The King
vs
Silverthorn

The Petit Jury in finding a Verdict in this case are governed

by the evidence before them but being all of them personally acquainted with the Prisoner and many of them from his youth to this time beg leave to state to the Court that his demeanour thro' life has been peaceable with but one exception — That he is an honest man and has by his industry and frugality acquired a handsome property — He has a large family who are deeply interested in his fate The Jurors therefore separating his general conduct from the substance of the evidence given against him in this case beg leave to recommend him to the mercy of the Court —

S. Street Jr
Abraham Bowman
Arch Thompson
Chas Willson
John Thompson
Ebenezer Skinner
Thos. Cooper
Adam Bowman
Aaron Crane
John Knox
John Burch
Adam Hutt

Niagara Septemr 29th
1809

(Endorsed in Pencil Pardon)

The Petition of Magistrates and Others

To His Excellency Francis Gore Esquire Lieutenant Governor of The Province of Upper Canada &c &c &c

The Petition of the undersigned Magistrates and Inhabitants of the District of Niagara

Humbly sheweth

That most of your Petitioners were present at the Trial and conviction of John Silverthorn of the Township of Stamford at the Court of Oyer and Terminer last holden for the said District of Niagara.

That they were impressed with sentiments that such Trial and conviction was had upon the strongest Evidence under the most humane and tender Charge from the presiding Judge and that the convicted had the most fair and impartial Trial

That your Petitioners feel that the solemnity of his Trial and the exposition by the Court of the existing Laws must have impressed upon every hearer the aggravated Crime of which he stands convicted and cannot fail as effectually to restrain the Commission of a like Offence as if the sentence of the Law was carried into execution

That the unhappy Object of this Petition is one of the earliest Inhabitants of this Colony and his Character and conduct precedent to the act for which he has been convicted has been such as to approve him a firm adherent to His Majesty's Government and induce a ready obedience to the Laws of his country

Therefore we his Majesty's most dutiful and loyal Subjects humbly beg leave to recommend to your Excellency the unhappy convict as an Object of His Majesty's regal mercy and compassion.

J Muirhead
Robert Kerr
John Symington
Jas Crooks
S. Hatt
Thos Cummings
Robt Nichol
John McEwen
William McKean
John J Lefferty
Isaac Swayze
William J Kerr
John Clark
James Secord
William Chisholm
A. Cameron
Geo. Hamilton
Thos. Clark
John McKerlie
Calvin Banister
William Robertson
James Racey
Thos. McCormick
Wm Gilkison
James Cooper
John Reilly
Benjamin Corwin
Adam Spencer
Peter Wright
Jonathan Dean

Will Crooks
Amos Chapman
Jas Coffin
Jno Powell
T Butler
(Illegible)

J P Ball
John Ball
Ralfe Clench
(Illegible)
John Muirhead
Johnson Butler
Alex. Stewart

A letter from George Hamilton to Charles Askin dated at Queenston on the 15th December 1808 announced the serious illness of his father which eventually proved fatal and his fears of an unwise third marriage then apparently not improbable

I have but a Moments time to answer your kind letter of the 5th Instant which I only received yesterday — I can easily forgive you for not writing to me, as it was as much my fault as yours. I am sorry to say my Father has been confined to his bed for this Week past with a severe cold, which settled in One of his knees & has given him such pain as to prevent him almost from sleeping or eating since — & Unfortunately to add to the evil the Doctors Mistook the complaint entirely were applying things that only made it worse however yesterday they found it out to be an Erysipelas or St Anthonys fire, & have altered their plan the inflamation to day seems to have fallen into his ancle and I hope with a few more applications they will be able to drive it away entirely

I thought Lyons Marriage would surprise you and I agree with you that it was the best thing he could have done to add to his happiness he was a month ago blest with a fine thumping boy his very picture. I have likewise to ask your congratulations on being advanced to the dignified station of an Uncle my Nephew is a fine little fellow & promises to be every bitt as crabbed as his father[1] — Your friends Mrs Conway & Smith have likewise been productive in the same way — Now for the Marriages James Crooks has been United to Miss Cummings[2] & William to One of the Miss Butlers[3] — Our friend Featherstone has also at last been favoured with the fair hand of that fickle Nymph Miss Duane — that foolish fellow Gallipeace to a Child of 13 years Old & who has already twice left him at her Mothers instigation in order to draw Money from him to get her back — She has with [illegible] gone off to Buffaloe Creek & the poor infatuated Devill has slipped after her with bag & baggage — you will say that is all very pleasant News, but here follows some not quite so agreeable — & Will surprise you very Much. Could you or anybody else ever conceive so unlikely a thing to happen as a Marriage between my Father & the Widow Forsythe[4] of all the women in the World but which I am afraid Will be the case — I had observed & was pleased to see that my father was fonder of visiting his friends in Niagara than usual thinking that the exercise would be of great Service to him & never suspecting the least what was going on untill it was whispered to me a fortnight ago that he was all this time busy in paying his addresses to the

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[1] This child was Robert Hamilton, the third of that name (1808–88), son of the second Robert Hamilton. [2] James Crooks and Jane Cummings, daughter of Thomas Cummings of Chippawa, were married on December 8. [3] William Crooks and Mary Butler were married on December 1. [4] The widow of George Forsyth, a merchant and magistrate at Niagara, who died in September 1806.

Widow — & I have since drawn out from Peter[1] that the One day when Peter was coming up took & locked him up in her Room & desired him to tell his father that it was a fine day to take a Ride, & that the next week would be a good time to settle their business, he immediately after this Message sett off in the Chair; his sore leg has intervened since that & she yesterday came up in One of the Worst days you ever saw to see him & remains here still notwithstanding I have got both the Doctors to speak to her & to tell her how very indelicate & improper it was for her to remain here at this time. All his friends you may believe feel very indignant at the Idea of such a Match & have I believe talked him pretty severely about it, but I am afraid too late to do any good — He has never Mentioned the business to any of us, but if he does I will tell him what all his friends think of it whatever may be the consequences to myself as I cannot bear the idea of his making himself unhappy for ever without warning him of the consequences — I mention all this to you my Dear fellow as I know it will be as safe with you as with Myself — you Will take care in writing to me to enclose the letter to Wm.[2] or Lyons[3] or anybody you may be writing to with directions to give to Myself — Your letter brought me the first news of your fathers accident & we were glad at the same time to hear of his recovery — My Father desires me to say that he cannot write at present but will by the first Oppy when he gets better — Pray have the goodness to answer this by the first Oppy that I may know it has come safe to hand — James has just come to take this down to the Post so I must conclude this long scrawl

(Askin Papers, Dominion Archives.)

A letter from William Robertson to Charles Askin written on the same day states that Robert Hamilton's condition was even then considered serious.

Queenston, Dec. 19th. 1808.

Dear Charles,

We are all happy to hear that your Father is so fast recovering the use of his arm — to a man of his years it was an unfortunate accident you ought not to allow him to go out in any carriage without one of you with him — his loss to the Family would be lamentable — I know well their affection to him

---

[1] Peter Hunter Hamilton, seventh son of Hon. Robert Hamilton and half brother of George Hamilton. [2] William Robertson, a merchant at Queenston and a maternal half brother of George Hamilton. [3] Probably James Lyons, a clerk to Hon. Robert Hamilton.

He will be very sorry to know that our good Friend Mr Hamilton is at present rather in a dangerous way — being some days ago at Niagara he caught cold which settled in his knee — it is much swoln gives him acute pain and is attended with some Fever — I think the Doctors call it an Erysipelas — I was with him last Evening he gave me your Letter to read — enquired if you said anything of what you were doing — said he was afraid it was not much I have heard him before express his surprise at your not writing him on this Subject considering the Interest he took in your Welfare you must certainly have been neglectfull if not worse.

With respect to your Memorandum left with me the following Letter from Jno. Warren jr will (in part) explain what has been done.

Fort Erie Octr 13th. 1808

Your favor of the 6th Inst. is now before me — Capt. Chapin has not as yet delivered the Salt. I shall soon make a 2d demand for the payment of his Note Agreeable to your wish I have disposed of the Vessell and rigging to the Fellow who built her (Daylay) for eight bbls of Salt — all the rigging I could save is but little all the small ropes & running rigging was taken as well as all the Iron that could be come at before I had any command of her — I think she is tolerably well disposed of — If the Fellow comes forward as agreed on

(Signed) J Warren

Mr Warren has just arrived — Chapin has gone down the Ohio and Dayley has not as yet performed his agreement

(Askin Papers Dominion Archives.)

White pine on all Crown lands had been strictly reserved for the benefit of the Royal Navy and the Surveyor of Woods and Forests had been consequently instructed to report where such timber was to be found to prevent depredations.

FROM MAJOR CHRISTOPHER HAMILTON TO WILLIAM HALTON

Fort George 9th Novr (1809)

Sir/

I think it my duty to state to you for the information of His Excellency the Lt Governor that it has been reported to me that a Man of the name of Martin who is building a Vessel at the head of the Lake is cutting a quantity of White Pine

which I understand is reserved for the use of his Majesty
I have the Honor to be &c

C. HAMILTON
Major 100th Regt. Comg.
Ft. George

(Sundries Upper Canada, 1809.)

The sheriff of the Niagara District, who was also Surveyor of Woods and Forests, was instructed to investigate and made the following report.

Niagara 9th December 1809

Sir

I received your Letter of the 11th of November and in obedience to His Excellency's directions went to the Head of the Lake and made the necessary enquiry. I examined and found some Oak timber in Possession of Mr. Martin but of so little Consequence that I did not think it merited any attention; there was no White Pine Cut on any reserve. I informed him of the impropriety of Cutting timber on His Majesty's reserve without permission; he said he was sorry for having cut the Oak timber but would Cut no more —

I have the Honor to be &c

THOS. MERRITT

Wm. Halton Esquire
York

(Sundries Upper Canada, 1809.)

A proclamation was published as a result of this and other information on the 29th December, 1809, announcing that "any Person cutting Timber on our Crown Lands ungranted, or on our Crown and Clergy Reserves, is guilty of a misdemeanor, subject for a first offence to a fine of £20, or twelve months imprisonment; for a second offence to a fine of £30 or imprisonment for eighteen months, and for a third offence, he shall be deemed guilty of a felony punishable by transportation for seven years. All timber so cut was to be seized and sold for the benefit of the revenue.

A tattered and scarcely decipherable letter from George Hamilton to Charles Askin among the Askin Papers gives a further account of his father's declining health and damage caused by an astonishing ice jam in the river.

Queenston Jany 20th 1809

Dear Charley
I have this day received your short favour by the Mail

[illegible] Lyons swears the next time you play him such a slippery trick he will send you a bale of Wrapping paper & let you pay the Postage & Squire William does not seem in much better humor. Every body here felt sorry for poor Laughton, that from his weakly appearance his friends did not expect to see him again. We were not surprised to hear of the failure of the Detroit Bank fortunately nobody here has any of his Excellency's paper except the inclosed Bank Note 75 Dols. which my Father has desired me to to tell you to make the most of! —— Do not write anything particular to myself at present or if you do put it on a piece of paper by itself for the Devill would have it in spite of your precaution William Robertson unfortunately saw your letter inclosed in Lyons's & Mentioned it to me before my Father of Course I had to get it to tell him the news. When he asked me if there were any secrets in it I had to tell him there was which seemed to give him uneasiness for which I was very sorry as he is not well enough at present to be put out of humor tho a great deal better since my last by a constant application of Poultices they brought the matter to a head by making an incision have succeeded in draining a great deal of the ([illegible]) humours out of it for this fortnight past but the knee is as much swelled as ever and gives him a great deal of pain when he attempts to put it to the ground which I can only account for by the constant cold applications for a fortnight without any effect may have occasioned a detention of the humors above the knee & has given the leg a Numbness. What I am afraid is will not soon recover however we must hope for the best. The Doctors are not so much to blame as it was my Fathers earnest wish to dispell it if possible without making an issue in the leg but they should not have indulged a sick man so long in his own way when they saw it attended with no good. the Ladys business remains in Statu quo and except and except (sic) an occasional visit nothing I fancy will be decided on till he gets better. your River is nothing in comparison with ours about 2 Weeks ago we had some very violent Winds from the S West which broke up the ice in Lake Erie & drove it down in such quantities that for 3 days you could hardly see the water for the ice when it was closed opposite our house it only took an hour to fill up piled to the black Rock with a Ridge in the Middle nearly upon a levell with the banks, in 4 hours afterwards people were seen crossing over —— the ice

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1 Established in 1806. Augustus B. Woodward, chief justice of Michigan, was the president. General William Hull, governor of the territory, was a small stockholder. The names of Richard Pattinson and William [illegible] of Sandwich also appear in the list of stockholders. Collections of the Pioneer Society of Michigan, Vol. VIII, p. 575.

raised so very fast that we began immediately to take all the goods out of our lower stores & put them into our large one & 2 days ago it only wanted 3 feet of overflowing the bottom, it has completely up sett McCormicks'[1] & has raised our little one almost on one end had not Mr Clark[2] taken the precaution to fill his falf full of stones it would have gone like the rest as it is some thing racked & had the ice raised a little higher nothing could have saved it he has about £600 worth of Iron in the Lower Store which he could not get away in time, both the stores on the other side of the River are swept away with about 400 bbls of Salt & some whisky & Pork for the American troops the wind is now again at S. W with a Violent thaw & I hope it will take away the ice without any more damage Sutherland has returned from Scotland without bringing J. Robertson[3] with him which he says was only owing to the Govt. not allowing any person to leave the Country without 2 Weeks or a Month's application before hand poor fellow I hope that may be the only thing the matter with him but Sutherland like a blockhead left the letter in his trunk at Albany I have just learned that it has arrived on the other side — Our neighbour Phelps[4] Miss Hull & Robt Dickson[5] set off yesterday on a Jaunt to the States Phelps returns directly Miss Hull some time in April & R. Dickson goes to N York & is not certain whether he shall come back here or go to Montreal We have a Weekly Club every week for the purpose of reading the Papers, every One has a different paper & the person at whose house it is held takes care to send over the River & to Niagara for the Letters & papers after reading them we play at Cards till about 10 O Clock when we sit down to a good supper & generally contrive to end the Evening very Jovially — It is Mr. Dicksons to day & Jack Warren is waiting for this — Dont you swear at me a little for making you pay the Postage for such long strings of Non sense but you must only be revenged by sending me as long in return here we are all in very good health & Wishing you the same blessing I remain &c.

(Askin Papers Dominion Archives)

The arrest of a band of forgers in March 1810 near Queenston, caused considerable excitement and eventually much embarrassment to the magistrates. This event was briefly described in a private letter from James Kirby then a clerk for

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[1] Thomas McCormick (1790-186[illegible]) a merchant at Queenston. [2] Thomas Clark. [3] His half-brother John Robertson. [4] Probably Elijah Phelps (1740-1843) an enterprising farmer in Stamford. [5] A noted trader in the Northwest, brother of Thomas Dickson of Queenston and William Dickson of Niagara and a kinsman of Hon. Robert Hamilton.

Thomas Clark, to Charles Askin of Sandwich.

"A few days since," he wrote, "we Queenston Volunteers cheerfully turned out to apprehend (in our neighbourhood) Seven d—n Stout, Strapping Yankees (and would you believe that Mr. G. Drake is deeply in the plot) that have long been in the habit of Uttering forged bank Notes to a very great Amount* — knowing them to be such; they are all separately confined in Gaol. We can't at present say how it will terminate — but with more proofs they will come under the jurisdiction of *hanging* — a bad fate."[1]

The discovery of an attempt to liberate the prisoners greatly alarmed the sheriff, Thomas Merritt, who made an urgent appeal to Samuel Street, chairman of the Quarter Sessions, for assistance on April 14.

"I conceive it to be my duty to represent through you to the Magistrates in Quarter Sessions that the Gaol of the District is Crowded with prisoners, many of whom are charged with the Crime of Forgery & that an attempt has already been Made by a Person apparently connected with them to Introduce Clandestinely a file for the purpose no doubt of enabling them to escape.

"It is well known to many of the Magistrates that the Gaol is very insecure. The Timber being in many parts decayed and as it is uncertain to what Extent the Confederacy of Forgers and Coiners may exist, it must be Obvious to the Bench that the Sheriff with his ordinary Means has not the Power to Effectually Guarding the prisoners — It is consequently become necessary to provide Additional Means for securing the County Gaol against an Attempt from without or within and at the same time by an immediate application to the proper Authority to procure a Commission for its immediate delivery.

"The Bench will do me the Justice to believe that every Exertion in my Power shall be used to prevent the escape of any of the Prisoners under My Charge but I must press on the Minds of the Magistrates that with my present Means & in the present Situation of the Gaol I cannot be responsible for the safe keeping of the Prisoners."

An emergency meeting of the magistrates was held at Niagara next day and by their advice Mr. Street addressed a

letter to the Lieutenant Governor

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* This offence had become so frequent that at the session of the provincial parliament ending on March 12th, 1810, "an Act for preventing the Forgery and Counterfeiting of Foreign Bills of Exchange, and Foreign Notes and Orders for the Payment of Money" had been passed.

[1] Canadian Archives, Askin Papers, Vol. 16. [illegible] Ibid. Sandwich, Upper Canada, 1810.

"The Magistrates of this District in Sessions, taking into Consideration the very critical situation of the District Gaol as faithfully detailed in the accompanying representation from the Sheriff, and the evil which would result to the Publick at large, should the daring Gang of Depredators now Confined therein escape the Punishment due to their crimes, have by their resolution Authorized me to apply to your Excellency for a special Commission of Oyer & Terminer for this District, which I have now the honor to do.

The Sheriff has so fully detailed this business that I have nothing to add thereto but to express my Conviction and that of my Brother Magistrates, that unless a Commission does issue without delay, the Prisoners will escape and the ends of Public Justice be thereby defeated."[2]

It was not found expedient to grant this request but a military guard was detailed from the garrison to protect the gaol until the regular assizes, when five of the men accused were convicted and sentenced. After having undergone a part of the punishment the prisoners petitioned for a remission of the remainder. Mr. Justice Powell, before whom they had been convicted, wrote on the subject from York on 21st March, 1810, to William Halton, secretary to the Lieutenant Governor:

"Charles Norton, alias Philander Noble, William Smith Crane, Levi Kemble Roberts, Samuel Spring and Joseph Harris were convicted at the last Niagara Assizes of a Conspiracy and sentenced to six Months Imprisonment from the 25th September last, Pillory and a Fine of Twenty pounds each, Imprisonment until paid & Security in £100 each & £50 two Sureties for their good Behaviour for two years — They have represented to the Governor that from their inability to pay the fine their Punishment will be perpetual Imprisonment which would never be the Intent of the Sentence — His Excellency in communicating their Petition to me as Judge of Assize expressed an Inclination to remit that part of the Sentence which continues the Imprisonment until the fine is paid, either in Complaisance to a foreign Government. He declines remitting any part of the direct Punishments. I therefore think His Excellency may desire to be informed that the direct Imprisonment ends on the 26th Instant."

When the court of Quarter Sessions met nearly a month later the convicts were still in the gaol and their case came up for consideration. The magistrates wished to get rid of them and Joseph Edwards, who had succeeded Street as chairman, was instructed to recommend their liberation. He wrote from

Niagara accordingly on April 17 to Mr Halton

"I am requested by the Magistrates in General Quarter Sessions to represent to His Excellency the Lieutenant Governor the situation of the four persons in the Gaol of this District under sentence for a misdemeanor in forging and uttering counterfeit foreign notes for the payment of money. They have undergone the Punishment of standing in the Pillory and the term pronounced for their imprisonment is (some time since) elapsed, paying their fines and finding security for their good behaviour are entirely out of their power and must operate as Imprisonment for life

As such they humbly intreat His Excellency to exercise the most amiable part of the King's prerogative in granting them a free pardon for the remainder of the sentence. This their request they beg leave to assure His Excellency, is not on account of the burthensome expence (large as they have found it) that these Prisoners are to the District, but to prevent any attempt they might make to break Gaol, that (in their desperate case) the natural love of Liberty might incite them to, Especially since the Commandant at Fort George has found it necessary to request that the Guard might be withdrawn, and which has taken place."

The method of accomplishing this remission of the sentence was referred to Justice Powell for his advice which he gave in a letter to Mr Halton on May 1

"When I did myself the Honor to submit to His Excellency's Consideration the Case of the Convicts at Niagara sentenced for a Conspiracy to defraud by forged foreign bank [illegible] to obviate the possibility of their sentence operating a perpetual Imprisonment in case of Inability to pay the fine imposed upon them.

The mode of Relief which I took the liberty to suggest was to remit so much of the Sentence as directed Imprisonment untill the fine should be paid and security given for their good behaviour — This may be done by a Charter of pardon not remitting the fine but all Imprisonment after the Six months of Punishment which will merely discharge them from Prison without releasing the fine —

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 17 April 1810

Sir

I am also requested to represent to His Excellency what

the Magistrates conceive an improper application of the Military reserve in front of the Town in the permission recently given of a Mr. [illegible] presented (among others) by a Mr. Spilman of his house thereby not only spoiling the view but by encouraging similar applications have the effect of shutting up the Town by a Range of Pickets. They therefore humbly request His Excellency's interference in preventing the enclosure taking place.

At this Session the Magistrates have approved of a plan of a Bridge of one Arch across the Grand River nigh the house of a Mr. [illegible] presented (among others) by a Mr. Spilman. The Estimate seven hundred and fifty pounds. Messrs. Harris, T. Clarke, Addison and others have come forward as the Securities and so soon as the bonds are completed I presume an application will be made to his Excellency for the money voted by Parliament the remaining sum being made up by private Subscription.

I have the honor to be &c.

Jos. Edwards,
Chairman
Genl. Qr. Sessions
Niagara District

Major William Halton
&c. &c. &c.

(Sundries, Upper Canada 1810.)

The recommendation of the magistrates for the remission of the remainder of the sentence passed upon the counterfeiters is shown to have been successful by the following order:

Lieutenant Governor's Office
2nd May 1810.

Sir,

The Lieutenant Governor directs that you prepare a pardon to pass the Great Seal remitting the Imprisonment of Charles Norton alias Philander Noble, William Smith Crane, Levi Kemble Roberts, Samuel Spring and Joseph Hiems, convicted at the last Niagara Assizes of a Conspiracy.

I have the honor to be &c.

Wm. Halton, Sy.

The Attorney General.

On the 26th of February 1811 Isaac Swayze, no longer a member of the Legislative Assembly, having been defeated at the previous election by Samuel Street, again presented a petition asking reimbursement for his loss by robbery.

To the Honorable the Commons House of Assembly of the Province of Upper Canada

The Petition of Isaac Swayze of Niagara most humbly sheweth

That Your Petitioner did heretofore humbly shew to Your Honorable House that a burglary had been committed upon his house on the night of the 28th of January 1806 at which time he was robbed of the sum of One Hundred and Seventy-eight Pounds Provincial currency then in his possession and received by him as Inspector of Licenses for the District of Niagara, for duties on Shop Tavern and Still Licenses, issued 5th January 1806 exclusive of private property and money received on account of the District of Niagara, and that Your Petitioner was at the same time very dangerously wounded

Your Petitioner now begs leave to press upon your consideration the honorable testimony of such facts as were then adduced by him on which your resolution of the 5th day of March 1807 was founded and humbly prays that Your Honorable House would be pleased to afford him that relief which in your wisdom you shall think the circumstances of his unfortunate case may require

And Your Petitioner as in duty bound will ever pray

ISAAC SWAYZE

Crowell Willson of Crowland then moved, seconded by Allan McLean of Kingston, for leave to introduce a bill for the relief of Isaac Swayze but the motion was lost

The royal instructions to Lord Dorchester in 1791 had commanded him to direct the Surveyor General to report on all surveys made for settlement whether there were within such survey any lands fit for the production of hemp or flax. Ten years later in compliance with a circular letter from the Colonial Secretary General Hunter had requested the provincial parliament to give such encouragement as seemed necessary to stimulate the cultivation of an object of the highest importance in Europe at that time. An act was accordingly passed appropriating £250 for the purpose of purchasing and distributing hemp seed gratis among the farmers and £500 to be expended in premiums and bounties for the cultivation of hemp. The Lieutenant Governor was asked to appoint a Board to encourage the culture dressing and exportation of hemp. Hon John McGill and Hon D W Smith were the first commissioners appointed and in 1803 Hon Thomas Scott the Attorney General was added to the number. In 1804 one thousand pounds were voted for the same purpose and James Baby, Richard Cartwright, Robert Hamilton and William Allen were appointed commissioners for the purchase of merchantable hemp at the rate of £40 Halifax currency per ton. Thomas Talbot was added in 1809 and on the death of Robert Hamilton, Joseph Edwards was appointed his successor. Premiums were awarded by the London Society for the encouragement of Arts, Manufactures, and Commerce and a further grant was made by the provincial parliament in 1808.

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 9 August, 1810

Sir

As Commissioner for the purchase of Hemp I have lately been applied to by a Mr. Staats of the Grand River to take from him a Ton. Mr. Richard Hatt having also informed me that he will shortly have some to deliver for Sale, and having no public money for that purpose I am induced to apply through you to His Excellency the Lieutenant Governor for the price of two or three Tons and to request that the Warrant may be made to William Dickson Esquire whom I have duly appointed as my Agent for that purpose.

I have the honor to be &c.

JOSEPH EDWARDS
Commissioner for the
purchasing of Hemp.

William Halton Esq
York.

(Sundries, Upper Canada, 1810.)

William Claus's eldest son had obtained a commission in the regular army and had been ordered to join his regiment then stationed in Jamaica. This led to some interesting correspondence with Lieut. Colonel William Samuel Currey, who had been military secretary to General Hunter and had been granted the maximum allowance of twelve hundred acres of land as a reward for his services, which he wished to sell.

FROM JAMES GREEN TO WILLIAM CLAUS

Quebec 5 July 1810

My Dear Claus —

In consequence of your letter of the 11th June delivered by Mr. Crooks I immediately conveyed the 400 Acres to

Grimsby belonging to Lt. Colo. Curry for which Mr. Crooks paid me £150 — which Sum I remit by the Owen Glendower the 18th Instant to Doctor Curry agreeably to Lt. Colo. Curry's Instructions — the Conveyance could not be perfected when Mr. Crooks was obliged to take his departure by the Steam boat but I afterwards delivered it to Capt. Evans conformably to Mr. Crooks's Instructions —

Lieut. Governor & Mrs. Gore have received every possible attention from Sir James Craig. Since their arrival we have had nothing but feasting — dancing and the like — they came very opportunely to attend the Races to-day — General Brock gave a dinner to the two Governors to day, and a Ball to as many Ladies as his room could conveniently contain — they danced in two rooms to the Band of the 8th Regt — which unquestionably is the best Military Band I ever saw both in point of Numbers & fine execution on their Instruments —

Capt. Selby of the Owen Glendower gave a Superb dejeuner on board his Ship the day before which was conducted in a Superior Stile — Lt. Govr & Mrs. Gore were received with 13 Guns — Capt. Selby is a most excellent Character — devoid of that Pomp you often meet with in Naval Characters—

To day the races begin — dinner at the Bishops — Play in the Evening — To morrow races — dinner at the Chateau to a Number of Ladies and Gentlemen — and Race Ball at the Hotel in the Evening — Races again on Fryday and Saturday — on Sunday I presume the Governor will return in order to transact some indispensible business in his Province.

Governor Gore has been very attentive to me he favors me with a long Visit every morning at the Office. He called on me an hour after his arrival with Colo. Kempt.

Adieu my dear Sir. Accept best wishes for yourself Mrs. Claus & your family from me and mine & believe me to be
Ever yours

JAMES GREEN

(Claus Papers Vol. 10 pp. 9-10.)

FROM WILLIAM CLAUS TO LIEUT. COLONEL W. S. CURRY

Niagara 16th Sept. 1810

My Dr. Curry

Your letter of the 26 Octr. 1809 I had the pleasure to receive telling me of the safe arrival of my son William at

Jamaica I have seen by the Gazette of the 18th Novr 1809 that there was a mistake in Wm's appointment to the 54th Regt. which I assure you Mrs. Claus & myself most sincerely regret yet I flatter myself with the hope that your friendship will be the means of bringing the business to a happy end Should he be removed from under your friendly care that ease of mind which has prevailed in both Mrs. Claus & myself since with you will vanish & be left in a constant state of anxiety. Our only consolation if he is to be secured to an Ensigncy you will have it done.

The French influence has reached the Lower Province Sir James Craig has five or six Canadian Lawyers Notaries & Members of The Assembly in Gaol (Bedard Blanchet & Taschereau of Quebec) being detected in a Treasonable correspondence with the French Embassador at Washington — he dissolved the House again last Winter he acts with decision & does not trifle with them as did Lord D & Sir R Milnes

Your lands I have left nothing untried to dispose of — only 300 Acres I have got off & to receive 7/6 pr Acre in Cash on giving the deed but it will be some time before that can be done as Green will have to execute the Deed & to him I shall remit the Money as soon as pd

Since your favor of the 26th Octr we have not heard from Jamaica. We are at a loss for Wm's silence I should have been glad to have heard from him any particulars of his Voyage &c you will readily conceive untill we can hear from you better than I can describe — my boy Dan has been appointed to the 49th Regt now in this Country & is under the Command of our friend Genl Brock his Lt Col (Sheaffe) is at last married to Miss Coffin by next thursdays post Mrs. Claus I believe intends writing to Wm —

God Bless you joined by Mrs Claus & all the family in wishes for your health & happiness — I remain your most faithfully

All hands send their Love to Wm

(Unsigned draft.)

(Claus Papers Vol 10 pp. 1 3)

FROM WILLIAM CLAUS TO LIEUT COLONEL CURRY

Niagara 17th Novr 1810

My Dr Curry

Just as I was stepping into my boat with these Characters well known to you, Genl Brock Col. Vincent and Capt Glegg of the 49th Regt on my way to York by the Head of the Lake. I had the pleasure to receive yours of the 13 June. With 3 such men I think I hear you say he must have had a pleasant time. Genl Brock remains with us in the Command of the Upper Province the other Gentlemen returned about 3 Weeks ago to the Lower Province — they came up with a number of other officers to sit a Genl Court Martial upon some men of the 100th Regt for desertion & Mutiny Very little was done after all their Trouble — one man flogged & one transported to Botany Bay

Green will have told you that he has received one Dollar & a half per Acre for 400 of your Acres. I assure you I sold them with reluctance, but it is your desire that they are sold

We are going on nearly as usual Genl Brock being with us makes some difference he lives in the Govt House and often sees 10 or a dozen friends but unfortunately he is quite alone not an officer with him. Harriot[1] who was his Major of Brigade is at Quebec with Genl De Rottenburg he ought to have kept Col Vincent or Glegg it would have been a happy thing for the latter as on his way down near Kingston in shooting a deer in the Water he unfortunately shot a man in the Bow of the boat, a soldier of the Veterans

(Unsigned draft.)

(Claus Papers, Vol. 10, pp. 11-13.)

Samuel Street and Thomas Clark, who had obtained control of the Bridgewater Mills and desiring to extend their business, published a printed notice in the form of a handbill, a copy of which has been preserved among the Askin Papers in the Dominion Archives.

CLARK & STREET'S terms for exchanging Wheat stored at the Bridgewater and Falls Mills are,

For three Bushels merchantable Wheat of 60 lbs each
112 lb fine Flour
49 lb Bran
4 lb ship stuff

For 5 and a half Bushels ditto.
196 lb Superfine
70 lb. Bran
8 lb. Ship Stuff

3 shillings and 6d York for each Barrel furnished 6d per Barrel for packing and 6d more if nail'd and lined — Quality

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[1] Heriot.

of Flour (if doubted) to be ascertained before taken away from the Mills.

Should the Mills or Wheat Stores be destroyed by fire the subscribers are not to be accountable for any loss occasioned thereby

CLARK & STREET

Bridgewater November 7th 1810

Hugh Alexander who had come to Upper Canada as a Loyalist in 1782 after employment of many years as a clerk had commenced business as a merchant at Fort Erie. Copies of many of his letters have been preserved and throw considerable on local commerce of the time

FROM HUGH ALEXANDER TO THOMAS MCCORMICK

Dear Sir

Agreeable to promise I have herewith given you a statement for which I will forward your goods at from Chip. next season to this place and from this to Chip. which I trust will meet your Approbation, viz Salt 2/4 per bbl payable in salt at 30/ at Queenston free of duty or 2/ cash — the salt to be shipped as advised

Goods 1/3 per cwt to receive here and ship as above
Pork to receive here and forward to Chipewa 1/3
Flour to ditto and forward to Chip. 1/
Pork & Whisky to receive here and forward to Chip. 1/4
Potash do do do do 3/
or 2/6 if not Hard

The cash accounts payable at the close of the season — and the salt monthly if required.

Fort Erie
Nov 6 1810.

N.B. You will please observe the above prices are New York currency

FROM HUGH ALEXANDER TO THOMAS DICKSON

Dear Sir

Your kind favor of the [illegible] came to hand the 10th. I should have answered your letter immediately but could not say to a certainty how many barrels I should have and also expected to be down before this time but the roads is at present very disagreeable you can depend on twenty barrels of pork which can be delivered in a very short time — I merely say this as you may wish to know the quantity on acc. of your own contract. I intend being down either the last of this week or the first of next as Mr. Bilder is waiting for that.

Fort Erie
Jan. 7/11

FROM HUGH ALEXANDER TO CAPT. B. MARTIN

Fort Erie Feb. 14th/11

Dear Sir

Yours of 21st ult. came duly to hand on the 7th inst. and hasten to inform you that in my opinion by all means start out for Buffalo as what property may be on board for this place can be brought from that without any interruption and should there be any probability of making one or two trips from Black Rock to either Cayahoga or Erie the vessel will have it then in her power to perform the same — if not it is very easy to run over from Buffalo to this place. I have not seen your father as yet however I dont hesitate in giving my opinion as above as it will undoubtedly be best for both shipping and owner because should she clear for this port and part of the property be left in Buffalo the owner would then be deprived of getting it over. The season as yet has not been very severe I am therefore inclined to hope that the ice will be out very early in the spring and I think there will be no time lost in coming down as soon as the lake weather will permit and unless you can get some rigging and repair done in trade — the vessel I think had better be brought down to repair either here or at Black Rock where the material can be got without paying cash immediately. Dont by any means pay Cook any of his wages if there is any due him as he was in arrears with me when he went away. I shall see your Father in a few days and will then inform him of what I have said to you and should we jointly agree to make any different arrangements I will then notify you accordingly.

Capt. B. Martin

Detroit

Should you have an opportunity of getting some old rope or junk get it to make oakum as I should want some for my own and another vessel will also want some. You will likely get the above for trade and cheap. Also get a small cadge and compass cheap and have the means to make payments without paying money.

FROM HUGH ALEXANDER TO CAPT. BUD. MARTIN

F Erie Mar 12/11

D S

I wrote you the 14th in ans. to yours of 21st Jany but fearful that it may be miscarried I shall now write you per Capt. Rough to say that I wish you by all means to clear out for Buff. the part of the property you have on board as I presume for that place which if you come to this side will not be allowed to be taken over but whatever may be on board for this place can be brought over from there here without difficulty. The weather at present is very fine and should it continue much longer I think the ice will be out by the 1 of April perhaps sooner. In my last I mentioned that you had better get a compass & small anchor perhaps 1 cwt. and as there are several old vessels in that quarter perhaps you can get in trade or payable in salt next fall a pair that would answer for a square sail and topsail and also get what old rope you can conveniently to make oakum as I shall want considerable this spring. As your brother Anderson I presume will be with you if you and him can get a bargain in any of the above mentioned articles you had better take them and also should you see such spars as the Chip. may want you may as well get them. Should whisky be cheap in Detroit say 4/ 4/6 or even 5/ a gall. if you have the means bring what you can with you. In hopes that every exertion will be used in getting down here as soon as the Lake and weather will permit

Capt. Bud Martin
Detroit

FROM HUGH ALEXANDER TO THOMAS DICKSON

Fort E Mar 16/11

D. Sr

Your very kind favor of 21st ult. I received the same day on my way to Long Point and am very sorry to find that Mr McGill did not accept your offer. However should you have an opportunity before I see you of selling 20 or 22 bbls pork provided you can get a fair price you are at liberty to draw on me for that quantity and pass the same to my credit. If you can conveniently spare a barrel of spirit please let the bearer Mr Smith have it who will have an opportunity of sending it up immediately

Thos Dickson
Queenston

FROM HUGH ALEXANDER TO CAPT BUD MARTIN

Fort Erie Ap. 9/1811

D S.

I am most disappointed on your boat not having yet arrived, as I have expected you here some time past as the weather is extremely fine. However I have heard verbally that the Chip. is detained on acct. of the non-importation act. In that case Major Foward will do everything that can be done in behalf of the vessel and you will in that case be directed by him what measures to take and should you come under ballast from that port to this, call at Long Point on Dr Crosby[1] for corn on your way down and be as expeditious as possible as I have made contracts in this quarter which must be fulfilled.

FROM HUGH ALEXANDER TO ELIJAH PHELPS

Fort Erie Ap 15/1811

D S

I understand there is a quantity of salt laying at Chippewa marked T. Bros. & Co. which is under your direction. As I shall have boats taking down flour should you want to send it to this place and not under any engagements I should be happy to have the boating of it and would attend to whatever directions you should give respecting the shipping of the same at this place.

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap 24/1811

D S

I called at Manchester last evening to see you respecting the cordage yet wanted for the Chippewa, but you was from home neither could I find Mr [illegible]. However I sent a memorandum for Mr Ben Hopkins which if you would have the goodness to furnish and leave in Black Rock to Mr Sell with the amount which if you could conveniently make payable the 1st Oct would suit me much better than the time mentioned in your letter but should that be longer than you can wait you will make the time as favorable as possible, you will then send cordage by first boat.

Judge Porter
Manchester

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[1] Probably Dr. Eliakim Crosby who joined the enemy in 1813 see Papers and Records of the Ontario Historical Society XXVI p 194

Pay no attention to the former memoranda to Mr Smith as my information respecting that was incorrect

FROM HUGH ALEXANDER TO THOMAS CLARK & CO.

Fort Erie Ap. 29/1811
Messrs. Thos. Clark & Co.

Gentlemen

Yours of 19th I rec'd 23 The Chip is just discharged of 319 barrels marked P Cr O from Mr Nichol which will be forwarded to Chippewa as soon as possible I shall send the vessel once more to Long Point and the next trip to the Grand River for Mr Hatt's flour which I presume from your letter is ready If wind and weather will permit you may expect Mr Hatt's flour the last of next week or the first of the week after The Selina has also a load of flour from Long Point which will also be forwarded soon I have sent from this place 104 bbls flour marked H A for myself which you will have the goodness to forward to Messrs Parker Gerrard Ogilvie & Co. Montreal the first opportunity

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap. 30/1811

Sir

Yours of 25th received 28th enclosing the bill of rigging which came to hand in good order I am extremely sorry that you was put to the trouble of making that part of the rigging that is not at present wanted if I recollect right I mentioned to your man that the memorandum left with Mr Coffin by Mr Smith was incorrect but that I should leave one with him that evening.

However I find I am still deficient much which I shall trouble you again to furnish & forward to Black Rock as formerly

Say 1 cwt spun yarn.
2 bunches of marlin
30 fathoms 3 rope
2 lbs. serving twine.

To Judge Porter
Manchester

FROM HUGH ALEXANDER TO WILLIAM SOUTHERLAND

Fort Erie May 11/1811

Sir

Messrs Thomas Clark & Co. has wrote to me to say that

Saml Hatt Esqr has a quantity of flour at your place which he wants forwarded to Queenston I have therefore agreed with Mr Thomas Hickok? the bearer of this to bring the team to this place you will therefore deliver to him as much as he can conveniently take and Oblige

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FROM HUGH ALEXANDER *(Unaddressed)*

Fort Erie May 13/1811

Sir

I am concerned in a small vessel (the Chippewa thirty one tons burthen British Bottom) which I would wish to engage in the salt business from this to your port if the laws now in force will allow the same. May I therefore beg the favor of you to state to me as soon as convenient your opinion on that subject whether you think it advisable to send him to your port or not and you will very much oblige.

FROM JONATHAN WALTON TO FRANCIS GORE

Schenectady 15 May 1811

Sir

As it may be agreeable for your Excellency to know that agents for many Respectfull families have called on me lately for the purpose of making arrangements to Remove into your province the ensuing Summer I think it my duty to give the information. I shall continue my endeavours to facilitate as many good people into the province as I possibly can — having the wellfare of your Excellency's government at heart.

I most sincerely congratulate your Excellency on the Glorious news of the success of the British arms in Portugal in driving the hearty foe out of that kingdom — with my sincere prayers that England may finally Tryumph over the Tyrant of Europe

I am &c

J WALTON

His Excellency Gov Gore

(Sundries Upper Canada 1811)

The writer of the foregoing letter was an officer in a loyalist regiment who had been retired upon half pay and had settled in Nova Scotia and afterwards undertook the settlement of the township of Hope in Upper Canada. Eventually, as he stated, with General Simcoe's approval he established himself as a merchant in Schenectady and seems to have exerted him self zealously in promoting immigration to Upper Canada asserting that his situation there enabled him to promote the Settlement of that Country more than he could possibly do by *residing in Canada*

Richard Hatt of Ancaster, Samuel Street of Stamford and Joseph Edwards of Niagara had been appointed commissioners to supervise the expenditure of money granted by the provincial parliament for the improvement of the main roads in the Niagara District.

FROM RICHARD HATT TO WILLIAM HALTON

Ancaster 21 May 1811

Sir

I received your Letter of the 17th Ulto. acquainting me of the appointment which it has pleased His Excellency to honor me with, and in order to carry the same into effect as soon as possible (being unable at this time to leave my family) I have taken the liberty to empower my Brother to receive such part of the money appropriated by the said Act as may more particularly fall under my immediate inspection to lay out, that is from Vanderlip to A. Westbrook's, from Brady's Tavern thro' Saltfleet to the Forty Mile Creek on the New Lake road, and building a Bridge over the Outlet at Burlington Bay which is the arrangement lately made with the other Commissioners.

I have the honor to be &c.

Major W. Halton RICHARD HATT

(Sundries, Upper Canada, 1811.)

FROM HUGH ALEXANDER TO PARKER GERRARD OGILVIE & CO.

Fort Erie May 23/1811

Gentlemen

Having some flour to send to Montreal this season and from an acquaintance I have had of you through Mr. Nichol & others in this quarter I have taken the liberty of addressing it to you which if you will have the goodness to take charge of and if you have an opportunity of selling any part of it for nine dollars or upwards please to sell it — if less I should rather have it housed till I go to Montreal myself which will be in July or first of August. I shall also request the favor of

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1 Papers and Records of Ontario Historical Society, XXVI, p. 361

you to write to me the correct prices of flour pork & potash as often as [illegible] and oblige

FROM HUGH ALEXANDER TO THOMAS CLARK & CO.

Fort Erie May 30 1811

Messrs Thos Clark & Co

Sirs

Yours of 16 instant received on the 22nd and have now the Biscuit ready say 3200 lbs the quantity of flour taken for the season is 18 barrels which you mentioned were to be replaced at Queenston You will also pass £19 6 0 N Y Cur to my credit

The price for baking say 12/ per cwt you can either make the flour and forward it to Montreal with the rest or pass it to my credit as may be most convenient

FROM HUGH ALEXANDER TO CLARK AND STREET

Fort Erie June 4 1811

Messrs. Clark and Street

Dear Sir

Yours of 28th received the 3rd inst and will cheerfully account to you for the neat balance that may be due Robt & Sent Martin for their respective shares in the Chippewa when and as such articles as may be collected for freight in said vessel at present I have nothing in my hands

FROM HUGH ALEXANDER TO PARKER GERRARD OGILVIE & CO

Fort Erie June 15 1811

Messrs Parker Gerrard, Ogilvie & Co.

Gentlemen

I wrote you on the 23rd respecting some flour forwarded to your care which I requested not to be sold under nine dollars However Mr Storm? is going sooner to Montreal than I expected I have taken the liberty of drawing on you in favor of Messrs Jabez Storr & Co for twenty five pounds currency which you will please to honour

If you have not sold sufficient of the flour at the above rate you can sell to the best advantage enough to discharge the above draft, and the remainder if you think there is any possibility of its rising dont sell till you have further advice Please write me the quantity received in good order and what prospects are respecting the price and you will very much oblige.

The annual return of the militia of the county of Lincoln dated 4th June, 1811 showed that the 1st Lincoln, commanded by Colonel Ralfe Clench, consisted of one Colonel, one Lieutenant Colonel, one Major, ten Captains, ten Lieutenants, ten Ensigns, one Adjutant, one Quartermaster, thirty-two Sergeants, and 513 rank and file, being a decrease of sixty rank and file since the last return. The 2nd Lincoln, commanded by Lieutenant Colonel Thomas Clark was composed of one Lieutenant Colonel, one Major, nine Captains, Ten Lieutenants, ten Ensigns, one Adjutant, one Quartermaster, twenty-three Sergeants, and 572 rank and file, showing an increase of eighty-six in the last description. The return for the 3rd Lincoln, commanded by Lieutenant Colonel John Warren, was dated 1810, and showed a total strength of one Lieutenant Colonel, one Major, eight Captains, six Lieutenants, seven Ensigns, one Adjutant, one Quartermaster, sixteen Sergeants, and 350 rank and file. The 4th Lincoln, commanded by Lieutenant Colonel Johnson Butler, numbered one Lieutenant Colonel, one Major, ten Captains, eight Lieutenants, nine Ensigns, one Adjutant, one Quartermaster, twenty seven Sergeants, and 459 rank and file, being an increase of fifty-two. The 5th Lincoln, commanded by Lieutenant Colonel Andrew Bradt, reported a strength of one Lieutenant Colonel, one Major, seven Captains, ten Lieutenants, eight Ensigns, one Adjutant, nineteen Sergeants, and 404 rank and file, being an increase of fifty-seven.

Three official letters from commanding officers have been preserved.

FROM RALFE CLENCH TO THE HONORABLE AENEAS SHAW

Niagara June 8th 1811

Honble Sir

I enclose two Returns of the First Regiment of the County of Lincoln Militia No. 1 Contains those from Sixteen to Sixty years of Age and No. 2 those from Sixteen to Fifty only from this you'll see the small Number we have above Fifty.

You'll also perceive by my Remarks the very few Absentees with the Character of most of them. In Captain Crook's Company we have some respectable Americans a Mr. Belding a Worthy Man who has always declined bearing Arms but upon all regular occasions transmits the Amount of his Fine as by Law imposed but of this description there are but few. We have some others in the Regiment who are inclined and would if in their Power not only stop the Militia law being carried into effect but the Wheels of Government also, of this Democratic Class fortunately we have not many.

A Lieutenant Robert Runchey a worthless, troublesome Malcontent, it is rumoured that he intends Personally to wait on his Excellency the Lieutenant Governor and to request his acceptance of his resignation. This I sincerely hope he may do, and that his Excellency may be pleased to accept of the same, as he is almost the only one I can term a Black Sheep in our Regiment and with whom the Officers I believe would gladly part.

The Number of Private Men at present exceeds what by Law is allowed to each Company, and yet we have not a sufficient Number to form another Regiment. I would therefore beg leave to suggest the propriety of Forming Three or Four Independant Companies in the Township of Louth (in which there are I dare say Men Sufficient. This Township is now without the limit of the First Regiment which would still be sufficiently numerous. I am induced to make this suggestion from a difficulty that has occurred with some of our Justices, where Companies have exceeded Fifty Private Men. I could not obtain Judgement upon Summons for no other reason as was stated than that the Company in Number exceeds what the Law directed, by which Defaulters have gone unpunished. From the Strength of our Regiment you will see that there is no other remedy unless dividing the Regiment from the situation and Settlement of the Townships of Niagara and Grantham this would not be in my opinion so eligible as to Form Independant Companies in the Township of Louth.

Should this suggestion meet his Excellency's approbation permit me to request your earliest information. I shall then transmit a list of Persons proper to be Appointed officers.

I have the Honour to be &c.

RALPH CLENCH
Colonel 1st Regt Lincoln
Militia

Honorable Aeneas Shaw
Adjt General Militia
York.

(Sundries, Upper Canada 1811.)

FROM ANDREW BRADT TO THE ADJUTANT GENERAL OF MILITIA

Barton 8 June 1811

Sir

I now enclose the General return of the 5th Regiment of Lincoln Militia at the same time I have to transmit you the

resignation of several of the Officers of my Regiment & shall submit to you to lay before His Excellency the Lieutenant Governor the frivolous excuses made in order to get rid of the Service, thinking by resigning they get clear'd from all future Service. —

Captain Augustus Jones resigns without any other excuse than that he does not like to get the illwill of his Neighbours by making them do their duties in the Militia

Captn John Lottridge (the Son of Captain Robert Lottridge of the Indian department during the late war) resigns because he says he is so dull he cannot learn the Manual Exercise therefore cannot teach his Men

Captn. John Chambers resigns, because has a very large family is rather a sickly man & is in very poor circumstances

Lieut John Jones is removed from the neighbourhood of my Regiment & is promoted to a Captain's Commission in another

Israel Dawdy refuses to serve as an Ensign as he had originally a Lieutenant's Commission & had for a considerable time the charge of a Company & discharged the duty with great Credit to himself in that situation

Ensign A. B. Bradt has removed from the neighbourhood of my Regiment too far to attend his duty in it

If therefore His Excellency should approve the resignations & if so many persons should be exempt from Militia duty from it I shall beg leave to recommend that Lieut. John Aikman — Lieut Israel Dawdy & Lieut Lewis Horning may succeed to the Companies vacated by the resignations & that Abel Land Senr William Wert & John Read be promoted to Lieuts. also that Jacob Rymal Joseph Horning Joseph Birney George Rousseaux Samuel Green and Jacob Kulman be recommended as Ensigns in my Regiment

I cannot conclude without observing that those whose friends & themselves have received the greatest encouragement & inducement to persevere in the good cause do not hold out the longest vide Augt Jones — & J Lottridge & at the same time I cannot but remark to you that Mr Abraham Markle & William Biggar both of Ancaster not only refuse to train in the Militia & declare never will do more than pay their fines — that should we be called on at real Service we might not find support in many who have had great advantages from professions of Loyalty & suffering.

I have the honor to be &c

ANDW BRADT
Lieut Col

To the Adjutant General of
the Militia of Upper Canada.

(Sundries, Upper Canada 1811.)

FROM THOMAS CLARK TO AENEAS SHAW

Queenston June 10th 1811

Sir

Herein I have the honor to enclose you a return of the 2nd Regiment of Lincoln Militia for the 4th inst. which be pleased to transmit to his Excellency the Lieutenant Governor as the Law directs —

By this return you will perceive that there is a Captain wanting to one of the Companies — owing to Captain Warner having some time ago resigned from Old age — To fill up that vacancy I should recommend John Decow the oldest Lieutenant in the Regt and well adapted to supply the place of Capt. Warner — Ensign Jacob J Ball to supply John Decow's place and Mr James Lyons to supply the place of Ensign Jacob J Ball —

I have the Honor to be &c

THOMAS CLARK Lieut Coll
2d Regt Lincoln Militia.

Aeneas Shaw Esqr
Adjt Genl of the
Militia of Upper Canada

(Sundries Upper Canada 1811.)

Considerable grants of land had been made by the first land board to officers of Butler's Rangers and the Indian Department three of whom had died on service and the other two had left the province. Action was accordingly taken to cancel these allotments.

EXECUTIVE COUNCIL OFFICE

York, 14th June 1811

Public Notice is hereby given that the Locations designated by the Land Board of Nassau for the following Persons in the Township of Binbrook, District of Niagara, will be declared open for Grant to other Persons unless within Six Months from this date they severally appear by themselves or Agents to establish their Claims and sue out their Patents.

LIEUTENANT GEORGE HARKIMER
LIEUTENANT HENRY HARE
SURGEON'S MATE PATRICK BURK
LIEUTENANT FREDERICK DOCHSTEDER
CAPT JOHN MCKINNON

By Command of His Excellency
the Lieutenant Governor in Council

JOHN SMALL,
Clk of the Executive Council

(Sundries, Upper Canada 1811.)

The author of the next letter was deported as an alien enemy in 1812 and his book was published in the United States in the following year and rapidly ran through six editions.

FROM MICHAEL SMITH TO WILLIAM HALTON

Niagara June 22d 1811

Worthy Sir I hope you will not be offended at the liberty I have taken of writing to you — nothing but the information I have had of your disposition could have encouraged me thus — Worthy Sir it is through your means that I humbly wish to communicate to his Excellency our Governor my design of publishing a Geographical and Political view of the province of Upper Canada

My design in publishing this work is to give a general information of the goodness of the land and (sic)[1] Laws. I would not wish to do anything that might be contrary to my Governor's wish. I therefore would be very thankful if you would communicate the same to me through the hands of Mr Cameron Printer — If his Excellency should wish to see the manuscript before the signification of his mind it shall be sent. I do not count my self the Author tho I have assisted in the work and have copied the whole. I am a native of the state of Pensyvania (sic) and came to Canada 18 months ago have taken the oath of Elegence perchased a reserve lot of land have a small family and am a poor man. I am Sir with humbly your unworthy servant.

MICHAEL SMITH.

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[1] John Cameron then publisher of the York Gazette and Upper Canada Almanac see Scadding, Toronto of Old, pp. 260-9 533.

N.B. I now teach School 3 miles from Niagara.

William Halton Esq.
York

(Sundries, Upper Canada, 1811)

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie June 17 1811

Dear Sir

I must once more call on you for a small quantity of cordage yet wanted for the Chippewa viz.

60 fathoms of six thread ratlin
120 do. of 15 thread do. perhaps 12 may answer
20 do. 2½ inch rope
14 lbs. spun yarn

which you will please send up to Black Rock by the first boat and oblige

FROM HUGH ALEXANDER TO JOHN MUIRHEAD[1]

Fort Erie June 19 1811

Dear Sir

Yours of the 15th inst enclosing your J. W. Muller rec'd yesterday. I now send by the boat ninety five barrels of flour belonging to Mr Nichol for government which agreeable to Mr Coffin's direction to Mr Warner? he is to deliver six hundred bound for a Queenston and four hundred at this place the last which I already delivered here for agreeable to that direction you as his agent at Chippewa will please forw'd to Queenston ninety five barrels flour together with one 150 barrels already at Chippewa which was forwarded to Mr James Cummings not knowing at that time what were to be delivered at that port. Should Mr Nichol have given you any directions respecting the above flour himself you will of course be guided by the same or should you have any conveniency of keeping the flour safe at Chippewa till we can have advice from Mr Nichol with respect to the forwarding of it to Queenston you can do as you think most advisable for Mr Nichol's interest. I have also given directions for the boat to call for Messrs Clark & Street's flour at Mr Miller's.

Mr John Muirhead
Chippewa

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[1] A merchant and collector of customs at Chippewa.

FROM HUGH ALEXANDER TO WM. H. ALEXANDER

Fort Erie, June 22 1811

Dear Uncle

Yours announcing the death of my brother David came duly to hand and I am very sorry to hear the news but we are all mortal and may be called upon when not as well prepared as I hope he was. He has now paid the debt which we all owe and is far from all the cares troubles and anxieties of this life.

I have the pleasure to state that we all enjoy good health hoping that inestimable blessing attends you and family. Ephraim is at present at Ancaster at the head of Lake Ontario but intends going to Long Point this summer to commence business with E. Crosby Esqr. of that place and I hope will do well. I should have wrote you immediately on the receipt of yours, but have been anxiously wish to hear from and see Mr McDougall respecting your business, as I employed Ephraim who was down at the time I received your letter to call on him (he McDougall) he at last has come down and paid me 115[illegible] pounds in cash and a note of hand for one hundred pounds N. Y. C. payable Jan. 1812 with interest from 14th inst. against as good a man as we have in this country, part of which I may perhaps get before I go to Montreal which I intend next month if weather permits perhaps about the 18th or 20th and will come home by your place at which time (should I get no safe opportunity to remit the money sooner) I shall give you whatever money I may have received from Mr. McDougall's amount and as much of my own as I possibly can.

Susan and William Dixon to be kindly remembered to you and Aunt Mary and all enquiring friends.

FROM HUGH ALEXANDER TO SAMUEL STREET

Fort Erie July 19 1811

Mr Samuel Street

Dear Sir

Mr Sent Martin[1] has this morning mentioned to me that fifty dollars was promised by him and his father to be paid in cash to you for money advanced by you to Judge Porter previous to their giving you their draft on me for the note due them. They therefore to make their promise good to accommodate you as far as lay in my power I have sent by Mr. Sent Martin the above sum say fifty dollars which I hope will arrive safe I shall also inform you as soon as possible balance due them and when payable

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[1] Should probably be Saint Martin.

FROM HUGH ALEXANDER *(Unaddressed)*

Fort Erie Aug 2 1811

Dear Sir

Yours of the 30th I received yesterday Capt Dobbin has this morning come over and informs me that he has on board the Salina betwixt them and you Hundred Packs and a few barrels potash and as he has some property aboard for Presqu'isle it will be out of his power to come over therefore requested to have them taken from the pier As the packet is [illegible] for this place they will be forwarded as soon as possible part will go to-morrow With respect to the bales none of them got injured as it was only the ends of a few that got wet which soon dried by exposing them to the air in the store. The boat is well mended and has now six good oil cloths. However every possible care will be taken both with the goods and packs

The following letter from the Deputy Superintendent of Indian affairs shows the extreme tension caused by the menace of hostilities by the United States nearly a year before they began.

FROM WILLIAM CLAUS TO LIEUT. COLONEL CURREY

Niagara 17th Augt. 1811

My Dr Curry

I am sorry that I cannot tell you that I had disposed of a few more of your Acres Sales are at a stand just now but I will not lose sight of them they ought to sell & well from the situation, it is becoming a thick settlement

Your friends in this part of the world are all well & jogging on how long we will be allowed to remain in Peace is questionable God knows our neighbours appear much inclined to quarrel with us, at least their Govt. but they do not know what to do, the Eastern States seem as much averse to the French as the Southern are in favour of them & I believe very powerful Tribes of Indians on the Waters of the Mississippi are by no means pleased with the treatment they receive from the Americans & their encroachments Another cause of dissatisfaction is their Trade being in a great measure stopp'd by the Non-inter-

course I understand a deputation is gone to Washington from the Missouri on the Subject

The Death of Mr Hamilton has long been known to you his Second son George was lately married to Jarvis's Eldest daughter & the Second (Augusta) is shortly to follow her example & marry McCormick of Queenstown

Lt. Col Curry Comdg
54th Regt Jamaica

(Unsigned draft.)

(Claus Papers Vol 10 pp. 19 21.)

James Durand who had previously been major of the first regiment of Lincoln militia having removed to the township of Barton had been appointed a captain in the 5th Lincoln but soon became discontented with his commanding officer who had formerly served in Butler's Rangers, and was perhaps not very courteous in his manner

FROM JAMES DURAND TO WILLIAM HALTON

Barton 5th September 1811

Sir

I have to request that you will be pleased to inform His Excellency Lieut Governor Gore that in consequence of what I thought was his wish, when I last had the honor of an interview viz. that if any did exist a direct charge should be brought forward by the Officers of the Fifth Battalion of Lincoln Militia against Lt. Col. A. Bradt I have taken occasion to make his disposition known to some of the Gentlemen of that Regiment, who heretofore had been very desirous of such an Opportunity they have however now declined coming forward

That His Excellency may be able to account for such a change of mind in those who so warmly desired the removal of Col Bradt I would take the liberty to suggest that it is extremely probable, a general relaxation of Duty would upon enquiry be found to have pervaded the Regiment, having its source perhaps, in the example of the Colonel

I have the honor to remain &c.

JAMES DURAND

To
Major Halton
Secretary to Lt. Gov. Gore

(Sundries Upper Canada, 1811.)

In addition to his offices of post master, justice of the peace and commissioner of roads, Joseph Edwards had been appointed a commissioner for the purchase of merchantable hemp made vacant by the death of Robert Hamilton. The letter which follows shows that a considerable quantity had been produced in the district.

FROM JOSEPH EDWARDS TO WILLIAM STAUNTON

Niagara 7th Sept. 1811

Sir,

As Commissioner for the purchase of hemp I had the honor to address his Excellency the Lieutenant Governor through Major Halton so long since as the Ninth of August 1810 stating that I had been applied to by two persons who had that article for Sale and requested that the warrant for the payment of two or three Tons might be made to William Dickson Esqr whom I had appointed as my agent to receive the same. To this Letter however no reply was made and I only learned from Mr Dickson that as his brother had mentioned at York that he would take all the hemp offered in this District it was considered unnecessary to send me any money.

Within these few months I have had the same applications to take hemp as a Commissioner and in reply referred them to Mr Dickson declined taking any from them and lately I spoke to him myself who said he had no orders from Captain Mills[1] to purchase.

This day 29 cwt. 1 qr 17 lbs amounting at the price offered by Government to Ninety One pounds 17/ 7½ Currency has by Messieurs Beldon and Torman been put into my hands after taking the Oath prescribed by Law. As I did not wish to refuse it on the principle of having no funds to pay them which they understood the other Commissioners always had I applied to *Major Halton* who directed me to you for his Excellency's information on the subject. Have the goodness to inform me what I am to do by the first opportunity.

I am Sir &c.

JOSEPH EDWARDS
Commissioner &c

William Staunton Esquire
Sec'y &c. &c. &c.

(Sundries, Upper Canada, 1811.)

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[1] Probably Captain William Mills who had established a rope walk and cordage factory at Amherstburg.

An endorsement in pencil on the blank page reads

Major Halton was then at Niagara on his way to Lower Canada & this letter was submitted to the Lt. Governor — nothing was done in the business

A report of Mr. Justice Powell is evidence of the extreme reluctance of the Bench as well as the public to inflict capital punishment for the crime of theft.

FROM JUSTICE WILLIAM DUMMER POWELL TO WILLIAM HALTON

York 26th Septr 1811

Sir

I have the Honor to report for the Information of his Excellency the Lieutenant Governor that on the western Circuit in the District of Niagara George Windeker was capitally convicted of stealing a Heifer but recommended to Mercy by the Jury which convicted him — As the Man bore a good Character until charged with this offence and his Connexions were respectable I presume his Excellency will think with me, that the great object of Example may be attained by commuting his Sentence into perpetual banishment which may be done by a conditional Pardon — I have the Honor to be &c.

Wm. Halton Esqr   WM DUMMER POWELL J

(Sundries Upper Canada 1811)

This recommendation was promptly carried into effect by the following order to John Macdonell the acting Attorney General

LIEUT GOVERNOR'S OFFICE

York U Canada 10th September 1811

Sir

I am commanded by the Lieut Governor to desire that you will take the necessary measures for a Pardon on the condition of perpetual Banishment out of the King's Dominions being prepared for his Signature for George Windeker capitally convicted of stealing an Heifer at the assizes lately held at Niagara

I have the honor to be &c

WM HALTON Secy

John MacDonell Esq
&c &c &c

(Sundries, Upper Canada 1811)

The change of administration was announced in the following letter wholly in Brock's handwriting.

York Upper Canada

October 9th 1811

Sir

I have the honor to inform your Excellency that in consequence of Lieut. Governor Gore's departure for England I have this day assumed the administration of the government of this Province —

I have the honor to be &c

ISAAC BROCK
M. Gl

To
His Excellency
Lt. General Sir George Prevost
&c &c &c.

(Sundries, Upper Canada, 1811)

FROM HUGH ALEXANDER TO ALEXANDER REA

Fort Erie Oct 3 1811

Mr Alexander Rea,

Dear Sir

I have the pleasure to announce to you my safe arrival at this place on the 15th ult and had the satisfaction to find my family enjoying good health. Since my arrival part of the time I have not been so well as I was while travelling but have now quite recovered my former good health. I have not as yet seen your son but from my information he is very well. I should be at his place in a few days when I shall call on him. The articles I bought from you have not yet arrived, but I have heard of their arrival at Queenston. Agreeable to your request I made what enquiry respecting the phials I could when coming home and at Albany found them considerably scarce. I have not as yet sold any positively but from their being scarce in Albany I judge they may sell at this place before that time twelve months. — Therefore if your Hghd[2] of phials is not yet sold you may have them forwarded to Lachine to Mr McGevach by the first opportunity for the season is now far advanced and charge me with the same agreeable to what

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[1] Probably Daniel Rea, a merchant at Dover. [2] Hogshead.

we mentioned when at your place

With compliments to Mrs. Rea & Family

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Oct 9 1811

Robt. Nichol Esqr

Dear Sir

Enclosed you have Michael Hickey's receipt for two barrels marked R N to be left at Colonel Ryerson's mill for you which contains 224 lbs Black Pepper agreeable to your order which came after the Chippewa sailed & supposing that you might be in immediate want of it per the first opportunity. One of the barrels not being full and supposing you might be in want of some rope for your own use I put in one coil of White Rope which will answer for trace &c which you may either credit me with at 2 York per lb the same as I paid or sell the same at an advance on my account and deduct your commission the Chippewa has just arrived with 28 barrels of pork which I shall deliver to Mr. Warren as before.

FROM HUGH ALEXANDER TO JABEZ D. DE WITT

Fort Erie Oct 17/1811

Mr. Jabez D. De Witt

Dear Sir

I have the pleasure to inform you that I arrived at this place on the 16th and found all my connections in good health. Since my arrival I have not enjoyed good health as well as I did when travelling — however I have for a few days past been quite restored and trust that ere this I may congratulate you on your safe return to good health. The case of hats I received on the 25th also And found every article agreeable to the account on the other side I have annexed a memorandum which if you will have the goodness to furnish and forward as soon as you possibly can as the season is far advanced I will make you payment for the same agreeable to your terms for the Hats &c. You will please to put them up safely and send them to Mr. McGevach Lachine.

6 lbs. Verdigrease.

1 piece of glazed black hat binding 2nd quality

2 gross black galloon 1 bottle aqua fortis
½ drab do.
½ hat buckles 1 superior white bonnet 21 inches
3 back hat bands inside
1 lb pumice stone
½ doz. hat bow strings.

From Hugh Alexander to James Sinclair

Fort Erie Oct. 23 1811

Mr James Sinclair[3]
Dear Sir

When you were at this place I mentioned to you my expectation of making different arrangements with respect to the Chippewa. I have therefore made a purchase of the said vessel and will accordingly make arrangements in season for proper persons to sail her the ensuing season.

I have therefore to request of you to let me know whether you are at liberty to engage next spring and if so what your lowest terms will be for the same to sail her as master to commence say the first of April and continue the season — the vessel as you know is a good new one and I hope will be well manned which to you if you take the command will be considerable of an object. You will therefore make your terms as reasonable as possible as the vessel will not admit of heavy expense — you need not mention what I have wrote you as it might cause others to think hard my giving you the preference.

From Hugh Alexander to Robert Nichol

Fort Erie, Oct. 24 1811

Dear Sir

Yours of the 21st rec'd also one from Mr Kerby to the same effect respecting your goods which came to this place. I am extremely sorry it was out of my power to have the Chip. go to Long Point as I intended. The reason was that she was completely filled with freight positively engaged before and prior to my purchase excepting a few heavy articles which had to be put in her hold on account of so much deck loadings to make her safe. However agreeable to your request I have fitted out an excellent batteau with Archibald Thompson Conductor with those articles which I supposed you were most in need of and also such articles that might be landed should occasion require. I have sent very few of Dr Rolph's articles as they were chiefly heavy articles and as I expect the Chip. at this place next week

should the wind and weather permit I will then send her immediately with all the remaining articles at this place

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[3] Afterwards a second lieutenant and pilot in the provincial marine on Lake Erie.

P S I have sent twice over the river in order to get——to go to your place But could get none However I hope the boat will arrive safe

From Hugh Alexander to Robert Gillespie

Fort Erie Nov 7 1811

Robt. Gillespie

Dear Sir

Yours of 20 Sept I received the 4 [illegible] inclosing invoice of sundry goods say horn glass &c which came to hand the same time. I have also received the goods forwarded to Lachine while I was in Montreal and which I find all agreeable to the invoice with the exception of three articles amt £3 17 1 Hfx cc you have on the other bill With respect to the butter I am sorry any difference should occur in the weight However when season will permit please send the amount of sales as then I can have recourse on them I purchased it from the quantity different.

Sept 27 1811
Mr Robt Gillespie
To Hugh Alexander Dr

	£	S	D
To 2 doz. wood canes at 14/6	1	9	0
½ horn at 16/	0	8	0
	1	17	0
Advance 42½ per cent		15	8½
	2	12	8½
½ doz. knit wool [illegible] at 32/6	1	4	4½
Hfx. C.	3	17	1

From Hugh Alexander to Robert Nichol

Fort Erie Nov 15 1811

Robt Nichol Esq

Dear Sir

Enclosed you have an account of 84 pieces of your goods the whole number at this place — the articles you mentioned in your last letter shall be attended to and every article I hope sent the next trip as I shall have to send the vessel once more if the season will permit All your goods except some which

I expect for you has not yet come forward but is daily expected. There is also a number of articles as you will see in your bill which I have taken the liberty to address to your care which please have stored till I can have an opportunity of taking them away. The 25 bbls. of salt marked E. Hasbrook of John Scott and Co. who has a store at Townsend under the direction of C. Foster and Co. or Mr. Cayl himself you may perhaps know best as you live near them who to inform respecting them the remainder say 40 barrels more will be up next turn

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Nov. 23 1811

Robt. Gillespie

Dear Sir

Your kind favor of Oct. 12 covering the sale of butter I rec'd yesterday and feel well pleased with your sending it to the Quebec market. I find by the acct. of sales one barrel of butter is yet unsold. If you have not received it please enquire at Messrs. Parker Gerrard Ogilvie and Co. if they have sold it very well. If not you will please appropriate the proceeds to my credit as before. Should Government purchase flour and pork this season I shall make an offer for part of mine at least. However as yet I am not certain with respect to that market as no advertisement has appeared for that purpose. Butter is very scarce at this season. However in the spring I shall pay strict attention to the Quality and packing of that article for your market. You will in your next letter have the goodness to say what you think lard and potash will be likely to bring next spring or if saleable.

Colonel William Claus reported the measures he had taken in accordance with his instructions to restrain the western Indians from beginning hostilities against United States in a letter addressed to James Brock, then civil secretary to his brother the General

Fort George 9th Decr. 1811

Dr. Sir

I have to acknowledge the receipt of your letter of the 3rd instant

Agreeably to General Brocks desire to know what steps I had taken with the Supt. of Indian Affairs at Amherstburg to use his influence with the Indians to keep them quiet, I beg leave to enclose an extract from my letter to him of the 24th ulto. in which I desire him to recommend to the Indians Peace and should any attack be made on them by the Americans to ensure. A copy of Lieut. Gov. Gore's letter to me of the 26th Feby. last Discouraging any hostile measures on the part of the Indians was transmitted to the Supt. of Ind. Affairs at Amherstburg the 7th of March last with directions to pay the most particular attention to the contents. I have again written to him in consequence of your letter of the 3rd by Bell[1] the shipbuilder who left this yesterday he informed that the report of the Action on the Wabash[2] was not believed in when he left Amherstburg the 1st instant.

P.S. The enclosed copy of a letter from Colonel Elliott which I rec'd two days ago I beg you will lay before Genl. Brock, dated 24th ulto.

(Dominion Archives, S. Indian Affairs U. C. 1810-1813)

Some letters from the enterprising Benjamin Canby have escaped destruction.

FROM BENJAMIN CANBY TO CHARLES ASKIN

Friend Askine,

Dont delay in geting a line to york Respecting the reserve I met Helty on his way Down to Isac Sweasys. He inquired of me whether the Governer had left Newark yet. I informed him he had. I beleave he intends in getting Isaac Swesy to aply for the same and for him so that William Dexton should right immediately so as to get the start. I would without a doubt put a stop to it. I remain yours

BENJ. CANBY

fifteen mile creek
Tues Day morning.

Addressed —
To
Charles Askin
Marchant
at Queenston

(Askin Papers, Canadian Archives, undated, probably 1811.)

FROM BENJAMIN CANBY TO CHARLES ASKIN

Canbury 24 Oct. 1811

Friend Askins

according to William Lewis request I have sent the boat

---

[1] William Bell, foreman, or master builder, of the naval yard at Amherstburg, 1812-1813. [2] Generally called the battle of Tippecanoe, 7th November, 1811.

Down which will be a convenient chance for your goods to be conveyd they brought your salt and Iron from conrons took from the mills 10 Barrels Potash please to not neglect feching up your Surveying instruments likewise a grind stone I purchased from Squire Cowan there if the boat will conveniently take it for it is much wanted I remain your Frend

BENJ CANBY

N B I understood from Garner from Lewis that you had a man Coming up to help Down the boat but he has not arived yet please to right to Georg Kefer not to Delay running out the road as the overseers is Detained from working on that head until he lays it.

Addressed —Charles Askin
Marchant
at Queenston.

(Askin Papers Canadian Archives.)

After carrying on his business for some months at Queenston Charles Askin removed to Canboro, where he organized the militia of that township and Haldimand having Benjamin Canby as a subaltern As the following letter indicates he undertook the management of a mill which had been built by Canby on a small creek falling into the Chippewa.

FROM JOHN CLARK TO CHARLES ASKIN

15 Mile Creek 21st Decr 1811

Dear Sir

Having understood there is a person in your employ named Rouse a Millwright — if you can possibly spare him for a week or two will you have the goodness to allow him to come down and assist in finishing a Grist Mill that I have lately purchased— I have wrote to him on the subject and trust that you will use your influence with him on my part

Hoping that you find your country residence pleasing and that we shall see you this way soon I am
yours Truly

JOHN CLARK

Charles Askin Esqr
Addressed —Mr Charles Askin
Merchant
Canborough.

(Askin Papers. Canadian Archives.)

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NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake, Ontario

No. 42

RECORDS OF NIAGARA in the days of Commodore Grant and Lieut.-Governor Gore

1805 - 1811

Collected and Edited
by
BRIG. GENERAL E. A. CRUIKSHANK

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Published by the
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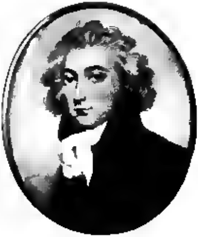
1931



CAPTAIN WILLIAM CLAUS
(Aged 27)

Superintendent General
Indian Affairs
1805—1826

NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No. 42

1805 - 1811

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RECORDS OF NIAGARA

1805-1811

The sudden death of Lieut. Governor Hunter at Quebec on 21st August, 1805, left the government of Upper Canada without a chief as he had steadily refused to nominate an administrator during his absence in the Lower Province. News of his death was received at York about ten days later. When Simcoe applied for leave of absence on the 1st of December, 1795, he had recommended Hon. Peter Russell as the senior Executive Counsellor (not a Roman Catholick) for appointment as administrator and his recommendation had been approved. He called the members of the Council residing at York together at once expecting to be recognized as president but to his great surprise and disappointment found that Chief Justice Allcock announced his opinion that Alexander Grant whose name preceded that of Russell in the list of Executive Councillors named in the royal instructions was the senior although Russell had taken the oath before him. The other members of the council concurred and Russell reluctantly assented but did not conceal his discontent at being required to act in a subordinate position to that which he had formerly held. As Grant was then senior naval officer on Lake Erie and lived at Amherstburg a message was sent to him to come to York and administer the affairs of the province. When Hunter's death became known in England little time was lost in appointing Francis Gore then governor of Bermuda to succeed him as Lieutenant Governor of Upper Canada. His commission was dated on the 22nd of January but he did not assume the administration until the 25th of August following

Grant's term of office consequently lasted a little less than a year. He seems to have carefully consulted the council in all matters of the least importance and Russell generally took the chair as presiding councillor. The chief justice was soon after transferred to Lower Canada and Justice Thorpe, who had recently been transferred to Upper Canada from Prince Edward Island, began to intrigue and make complaints to the Colonial Office, stating that there was no governor, no general, no bishop and no chief justice in the province and owing to a "cabal" the Council had selected a man to act as administrator who did not appear to be the oldest member and was inefficient. Both he and Justice William Dummer Powell, who was his senior, applied for the vacant office of chief justice. There was a noticeable lack of good feeling amoung the chief officials. The following petition shows that the act regulating the sale of spirituous liquor had caused some local discontent.

THE PETITION OF LANTY SHANNON AND OTHERS

To the Honorable Provincial
Parliament of Upper Canada

We the subscribers, Inhabitants of the said Province and faithful subjects to His Majesty and at all times ready and willing to support the operative laws in his Dominions and being possessed of that inalienable right of free men to make known to our law makers and rulers such grievances as we may think we labour under do beg leave under mature consideration and confidence of the truth and propriety thereof to most humbly suggest to Your Honors that the law of said Province prohibiting distillers selling any of their distilled liquors under three gallons is not so happily calculated as in our opinion may be for the general good of His Majesty's subjects for many are under a necessity at times for some of this liquor but either for want of abilities or from principles of prudence are prevented from receiving those comforts of the country to which their hand labour entitles them.

We beg leave further to suggest that no detriment can accrue to the revenue by giving the distillers license to sell one gallon as in our opinion few retailers or inn keepers would have any objection to an alteration of said law.

The limits of this Petition will not give an opportunity to state all the reasons in support thereof which will actually be in your possession.

We therefore most humbly pray that Your Honors would take this subject into your wise consideration and repeal said law in such a manner that the distillers may sell one gallon or otherwise order and direct so that the law touching the same may be as all laws should be for the general benefit of the public weal and as in duty bound we shall ever pray

LANTY SHANNON Inn keeper
EZEKIEL WOODRUFF
SAM L VAN WICK Inn Keeper
JOHN FRALICK
his
JOHN X CAMP
mark
and fifty six others

The promoters of this petition were residents of the township of Stamford of which Ezekiel Woodruff was clerk continuously from 1797 until 1819 This petition and the one following are undated but were read in the Legislative Assembly on the 12th February 1805

Another petition from residents of the townships near the head of Lake Ontario voiced what seems to be well founded dissatisfaction at the administration of the act for the improvement of public roads.

THE PETITION OF INHABITANTS OF THE DISTRICT OF NIAGARA

To the Honorable the Legislative Council and House
of Assembly for the Province of Upper Canada

Humbly prays

That the Legislature may at their next meeting take into their serious consideration the laws respecting highways and roads throughout this Province and make such alterations or amendments to the same as to them in their wisdom may appear meet Your Petitioners beg leave to intimate that under the existing law it is difficult to determine which are really and legally Highways, the Commissioners being frequently divided in opinion with respect to the construction to be put on said laws and from the circumstance of the Justices of the Peace being all Commissioners of the Highways and Roads and nothing mandatory or compulsory on them to act when required and as it would be unfair that those gentlemen who do sacrifice much of their time to their duty as Justices should be forced to leave their homes for days in acting as Commissioners without an adequate allowance being made them for their trouble and expense and as many of those gentlemen would probably not wish to act in the line of Commissioners

Your Petitioners are therefore of the opinion that it would tend to the ease of the Inhabitants and the welfare of the District to have a certain number of disinterested persons to be

overseers or Commissioners of the Highways in each and every District and that an allowance should be made them from the different District Treasurers to be raised by a tax for that immediate purpose making it compulsory on them on all occasions when thereto required to lay out alter or amend any road or roads throughout their respective District or Division However all this is submitted to the Honorable the Legislature for their consideration which Your Petitioners pray may meet with due and mature deliberation

And your Petitioners as in duty bound will ever pray

JOHN PETTIT
LEVI LEWIS
RICHARD GRIFFIN
WM KENNEDY SMITH
and fifteen others

John Pettit resided in Saltfleet Richard Griffin in Grimsby and William Kennedy Smith in Blenheim Levi Lewis was elected one of the members of the Legislative Assembly to represent the first riding of Lincoln and the county of Haldimand at the general election in 1808

The removal of the offices of the provincial government from Niagara to York had diminished the importance of the town but it still continued to be the headquarters of the officers commanding the troops and Fort George was the principal military post in the province From 1796 until the end of August 1802 the garrisons of the frontier posts were furnished by the second battalion of the Royal Canadian Volunteers. They were then taken over by the 49th Regiment commanded by Lieutenant Colonel Brock which a few years later was relieved by the 41st under Lieutenant-Colonel Henry Procter succeeded in turn by the 100th temporarily under command of Major Christopher Hamilton William Claus had succeeded Alexander McKee as deputy superintendent general of Indian affairs and continued to reside at Niagara where councils with the Six Nations and Missassaugas were some times held

Small detachments of soldiers were stationed at Queenston Chippawa and Fort Erie for the protection of stores and to conduct their transportation between the lakes.

Some letters from Hon Robert Hamilton to his father in law John Askin of Strabane near Sandwich have been preserved and contain some information of historical interest.

FROM ROBERT HAMILTON TO JOHN ASKIN

Dear Sir

This will be handed to you by your Grandson Robert my eldest boy[1] now on his Way to Mackinac to spend a year and live with my kinsman Robert Dickson

You Will perhaps be surprised at my sending my eldest son into that Country but the young Man Wishes it—And I do think the field a very fine and certainly a very large one for Mercantile Speculation—He may remain a few days at your place until a vessell shall sail for Mackinac and in directing him to make your house his head Quarters I am convinced I do not exceed in using freedom with you—

Mrs. Hamilton requests to join me in best respects to Mrs Askin & all your pleasant family

I am Dear Sir
John Askin Esqr
yours very sincerely
R. Hamilton

Queenston May 16, 1805
(Askin Papers, Canadian Archives.)

The preface to a book rather cumbrously entitled "Travels through the Canadas, containing a Description of the Picturesque Scenery on some of the Rivers and Lakes, with an account of the Productions, Commerce and Inhabitants of those Provinces, to which is subjoined a Comparative View of the Manners and Customs of several of the Indian Nations of North and South America. By George Heriot, Deputy Post Master General of British North America. Illustrated with a Map and Numerous Engravings from Drawings made at the Several Places by the Author," is dated at Quebec on 26th August, 1806. His visit to Upper Canada appears to have been made about a year before and a handsome quarto edition of his book was published in London in 1807.

His description of what he saw of the Niagara District is fairly full and interesting as he was a careful observer.

On the western bank, about a mile higher up, the British fort is situated on ground several feet higher than the last [Fort Niagara]. It is likewise constructed of earth and cedar pickets, and the buildings contained in it are executed with much neatness, taste, and accomodation. On the border of the river, and beneath the fort, there are several buildings, consisting of store-houses and barracks, one of which is called Navy Hall, and is contiguous to a wharf, where vessels load and unload. A swamp in the vicinity becomes, at particular seasons, from the stagnated vapours exhaled from it, prejudicial to the health of those whose residence is by the river, and sometimes to that of the troops in the garrison. A plain, whose extent in every direction is nearly a mile, intervenes between the town of Niagara and Fort George, the name of the fortress already described. The houses are in general composed of wood, and have a neat and clean appearance; their present number may amount to near two hundred. The streets are spacious, and laid out at right angles to each other, so that the town when completed will be healthful and airy. On Missisague Point, which is on the west side of the mouth of the river, a lighthouse for the guidance of vessels which navigate the lake, has lately been erected. Near this point white fish and black bass are caught in great numbers.

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[1] Born at Fort Niagara in 1787, member of the Legislative Assembly for the third riding of Lincoln 1820-1824, died in 1856.

In proceeding from the town of Niagara to the southward, along the banks of the great river, many attractions combine to present pleasure and amusement to the mind of the observant traveller. The soil, the variety of situation, and the improvements of that part of the country, seem to surpass every impression which information alone might produce in its favour. The population is already considerable, and is rapidly augmenting. Families from the United States are daily coming into the province, bringing with them their stock and utensils of husbandry, in order to establish themselves on new lands, invited by the exuberance of the soil, the mildness of the government, and an almost total exemption from taxes. These people either purchase lands from the British subjects, to whom they have been granted, or take them upon lease, paying the rent by a certain portion of the produce.

Many farmers from the neighbouring states, who are wealthy, procure grants of their own, and taking the oaths of allegiance, become subjects of the crown of Great Britain.

Men born and educated in the northern states of America are of the greatest utility in the settlement of a new country, as they are endowed with a spirit for adventure, activity, industry, and perseverance, rarely to be equalled. Nor are they deficient in the power of inventive faculty, particularly when applied to mechanical objects. In travelling, the waggon is by many made to serve the end, not only of a house during the journey, but likewise of a vessel, to cross the rivers which are not fordable. The seams of the body are secured against the admission of water, and when applied to the latter purpose, the wheels are taken off, it is conducted by rowing to the opposite shore, and the horses and cattle are made to follow it by swimming. The settlers who bring into the province the largest property in money and stock, generally come from the back parts of Virginia, and even from the Carolinas.

In the use of the axe the Americans display uncommon

dexterity and hew down the largest trees of the forests with admirable address and expedition Retaining no attachment for any particular situation an American farmer who is not of the first class will sell his lands after having cleared and brought them to a state of cultivation if he can procure for them a reasonable profit for his toils He then decamps launches into the woods in quest of a new possession and erects another habitation

The immense tracts of woods filled with oak timber which every where present themselves are certain indications of the fertility of the soil The common produce of the fields is in general from thirty to forty for one in wheat or any other grain and portions of land which have for upwards of sixteen successive years yielded their harvest without the aid of manure with forty to one to reward the industry of the husbandman

The winters in this part of the country are inconsiderable either for duration or severity the snow seldom remains on the ground for a longer period than five or six weeks

About the year 1800 before the means of transport to the lower province became facilitated and improved the inhabitants were at a loss to dispose of the produce of their farms Since that period many thousand barrels of flour quantities of salted beef and pork butter and cheese pot ash and numbers of live cattle have annually been conveyed to Lower Canada through the rapids and cascades of the Saint Lawrence upon rafts of timber containing from five hundred to eight hundred barrels each and upon scows, a superior species of raft constructed of plank, without receiving from the waters any material injury The conducting of that mode of transport although at first difficult and unwieldy has now become more familiar and immense quantities of produce continue to flow every year into the lower province

There are attached to settlements on the borders of the Saint Lawrence advantages of transport superior to those of any inland country in America The soil is unquestionably of the first quality and is sufficiently varied by swells and ridges, to take off that sameness of effect which would result from a dead level country Winter wheat is produced with the greatest certainty The grain is heavier and more plump than any that is raised in the territories of the United States except such as border upon this immense river Grass is very natural to this country and cattle fatten in summer upon the wild growth Hemp and flax are produced in great perfection The timber consists of oak pine in all its varieties, sugar and curled maple beech basswood hickory black and white ash, sass fras, black and white birch, elm, walnut-tree, butternut-tree, cherry-tree, and a variety of other woods.

"The winter season is employed by the farmer in making staves for casks, squaring timber, or preparing plank and boards, all of which may be disposed of to advantage in Montreal. In the spring the timber is formed into rafts, which are loaded with produce, and conducted down the river with great certainty, at any period during the summer season, without the inconvenience of waiting for a freshet, or an increase of water by rains, which can have but small influence on so vast a body of water. This circumstance alone adds value to the establishments on its borders; for on all other rivers, except those of the first magnitude, they who mean to conduct rafts down their streams are compelled to be ready at the moment of a swell of the waters; and if they be so unfortunate as not to be prepared, an opportunity of carrying to market the productions of their farms becomes lost to them for the whole year. It likewise not unfrequently happens with many rivers, that the spring freshets are not sufficiently high to render it safe to venture down them. The farmer on the Saint Lawrence is assured he can send a barrel of flour for four shillings, and a barrel of potash for eight shillings, to the ship which comes from Europe.

In many branches of husbandry the settlers of this country seem to display a superior degree of skill, and fields of corn are here to be seen as luxuriant and fine as in any part of the universe.

The mode of commencing a settlement is by cutting down the smaller wood, and some of the large trees, collecting them into heaps, and burning them. Some of the remaining trees are girdled, by cutting a groove all around through the bark, to impede the sap from mounting, and thus deprived of nourishment, the branches cease to grow, and the leaves decay and fall to the ground. After passing a harrow over the soil, in order to turn it up, the grain is sown, the harrow is again used, and thus little without any further trouble, the newly cleared ground yields a copious increase.

"A stranger is here struck with sentiments of regret on viewing the numbers of fine oak trees which are daily consumed by fire, in preparing the lands for cultivation.

The houses, with few exceptions, are here constructed of wood, but with a degree of neatness and taste, for which we might look in vain among the more ancient settlements of the lower province.

The improvements of every description in which for a few years past the province has been rapidly advancing have in some situations divested it of the appearance of a new settled colony and made it assume the garb of wealth and of long established culture The roads in the settled part of the country are in the summer season remarkably fine and two stage-coaches run daily between Niagara and Chippawa or Fort Welland a distance of eighteen miles

The scenery from Niagara to Queenstown is highly pleasing, the road leading along the summit of the banks of one of the most magnificent rivers in the universe and on ascending the mountain which is rather a sudden elevation from one immense plain to another where the river becomes lost to the view the traveller proceeds through a forest of oak trees until he becomes surprised and his attention is arrested by the falls presented to the eye through openings now cut in the woods on the steep banks by which they are confined

Queenstown is a neat and flourishing place distinguished by the beauty and grandeur of its situation Here all the merchandise and stores for the upper part of the province are landed from the vessels in which they have been conveyed from Kingston, and transported in waggons to Chippawa, a distance of ten miles the falls and the rapid and broken course of the river rendering the navigation impracticable for that space Between Niagara and Queenstown the river affords in every part a noble harbour for vessels the water being deep, the stream not too powerful the anchorage good and the banks on either side of considerable altitude

The mountain already noticed is formed by the land assuming a sudden acclivity of upwards of three hundred feet from one horizontal plain to another and extends from east to west for a considerable way, the river holding its course through its center and cutting it asunder The perpendicular banks on either side are near four hundred feet in height from the level of the water below to their summit Their strata are similar not only in altitudes but in substance A little way below the bank on which the town is placed there is a spot rising about twenty feet from the side of the river upon whose surface a quantity of stones is placed which appears to have been deposited there for a series of years and which have been evidently formed in currents of water

Since the settlement of the country the river has not been perceived to rise to that height These circumstances seem to afford probable ground for conjecture that the stream which now flows through the deep chasm of the mountain did at some former period throw itself from near the summit and after sweeping away the rocks and soil form its present profound and rugged channel extending upwards of nine miles from the precipice whence the wide and stupendous flood continues now to fall

In tracing the course of the river higher up from Queenstown many singular and romantic scenes are exhibited the whirlpool which is about four miles from that place is a basin formed by the current in the midst of lofty precipices clothed with woods Previous to its entering this bay the stream drives with awful roar its broken interrupted waters over a sudden slope upwards of fifty feet in height and thus proceeds foaming past the bed it afterwards takes which bring around the angle of a precipitous promotory its weight and velocity oblige it to pass on and to make the circuit of the basin before it can flow through that channel It has apparently made an effort to break through the bank to the westward but the rock was probably too solid The strata to the northward were found more penetrable and through these it has forced a passage A tide rising to the height of two and a half feet and again falling every minute is observable all round the basin this phenomenon may be produced by the impulse communicated to it from the torrent which causes it alternately to swell and to recoil from the beach

This gulph usually contains a quantity of floating timber which continues to revolve in the eddy about one in half an hour and will some times remain in this state for months, until it be drawn off by the current At one particular part all floating substances are made to rise on one end after which they are swallowed down by the vortex and for a time disappear

The falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene the most wonderful and awful which the habitable world presents Nor can any drawing convey an adequate idea of the magnitude and depth of the precipitating waters. By the interposition of two islands the river is separated into three falls that of the Great Horse shoe on the west or British side so denominated from its form and those of Fort Slausser and Montmorenci on the eastern or American side The larger island is about four hundred yards in width and the small island about ten yards. The three falls with the islands describe a crescent and the river beneath becomes considerably contracted The breadth of the whole at the pitch of the waters, including the curvatures which the violence of the current has produced in the Horse shoe and in the American falls, may be estimated at a mile and a quarter and the altitude of the Table Rock from whence the precipitation commences is one hundred and fifty feet

Along the boundaries of the river and behind the falls, the elevated and rocky banks are every where excavated by sulphureous springs the vitriolic acid uniting with the limestone rock and forming plaster of Paris, which is here and there scattered amid the masses of stone which compose the beach beneath

These excavations extend in many places to a distance of fifty feet underneath the summit of the bank.

Casting the eye from the Table Rock into the basin beneath the effect is awfully grand magnificent and sublime No object intervening between the spectator and that profound abyss, he appears suspended in the atmosphere

The lofty banks and immense woods which environ this stupendous scene the irresistible force the rapidity of motion displayed by the rolling clouds of foam the uncommon brilliancy and variety of colours and of shades the ceaseless intumescence and swift agitation of the dashing waves below the solemn and tremendous noise with the volumes of vapour darting upwards into the air which the simultaneous report and smoke of a thousand cannon could scarcely equal irresistibly tend to impress the imagination with such a train of sublime sensations as few other combinations of natural objects are capable of producing and which terror lest the treacherous rock crumble beneath the feet by no means contribute to diminish

The height of the descent of the rapids above the great fall is fifty seven feet eleven inches The distance of the commencement of the rapids above the pitch measured by the side of the island is one hundred and forty eight feet and the total altitude from the bottom of the falls to the top of the rapids is two hundred and seven feet The projection of the extreme part of the Table Rock is fifty feet four inches

The large island extends up the river about three quarters of a mile and the rapids between that and the western banks are much diversified in one situation near the island there is a fall of about sixteen feet in height the vapour from which is distinctly visible Several small islands are formed towards the west side of the river

From a settlement called Birch's Mills on level ground below the bank the rapids are displayed to great advantage they dash from one rocky declivity to another and hasten with foaming fury to the precipice. The bank along whose summit the carriage road extends affords many rich although partial views of the falls and rapids. They are from hence partly excluded from the eye by trees of different kinds, such as the oak, the ash, the beech, fir, sassafras, cedar, walnut and tulip-tree.

"About two miles further down the side of the river, at a situation called Bender's, an extensive and general prospect of the falls, with the rapids and islands, is at once developed to the eye of the spectator. On descending the bank which in several places is precipitous and difficult, and on emerging from the woods at its base, a wonderful display of grand and stupendous objects is at once expanded to the view. From amid immense fragments of rock and lacerated trees which have descended in the current of the waters, the eye is directed upwards toward the falls, that of Fort Slausser being on the left, and the Great Horse-shoe fall immediately in front. On the right is a lofty bank profusely covered with diversity of foliage, beyond which the naked excavated rock discloses itself. As the river here contracts to the breadth of about half a mile, the fall on the American side becomes nearest to the eye, and its waters tumble over a rock which appears to be perpendicular and nearly in a straight line across to the island, the curvature being from the point now described not perceptible. The rock is however excavated, and at the pitch has been worn from the continued abrasion by the fall into a serrated shape, whence the masses of foam pour down in ridges which retain their shape from the summit to the bottom. Numbers of stones which have been torn away from the precipice are accumulated through the whole extent below, and receive the weighty and refulgent clouds of broken waters, which again dash from thence into the basin.

"The salient groups in which, with gradations almost regular, the tumbling waters are precipitated, excite the awe and admiration of the spectator; the eye follows with delight the masses of lustrous foam, varied by prismatic hues, and forming a wide and resplendent curtain.

About half a mile from hence, in descending the course of the river, and behind some trees which grow upon the lower bank, is placed the Indian ladder, composed of a tall cedar tree whose boughs have been lopped off to within three inches of the trunk, and whose upper end is attached by a cord of bark to a living tree; the lower end is planted amid stones. It is upwards of forty feet in length, and trembles and bends under the weight of a person upon it. As this is the nearest way to the riverside, many people descend by the laddee, led either by curiosity or for the purpose of spearing fish, which in the summer are found in great abundance in this vicinity.

The spear in use is a fork with two or three prongs, with moving barbs, and fixed to a long handle. The fisherman takes possession of a prominent rock, from whence he watches for his prey, and when it approaches within his reach he pierces it with his instrument with an almost inevitable certainty.

The village of Chippawa, or Fort Welland, is situated on each side of a river of the same name, which here joins the Saint Lawrence. A wooden bridge is thrown across this stream, over which is the road leading to Fort Erie. The former fort consists only of a large block house near the bridge on the northern bank, surrounded by lofty pickets; it is usually the station of a subaltern officer and twenty five men, who are principally engaged in conducting to Fort Erie the transport of stores for the service of the troops in the upper part of the province, and for the engineer and Indian departments. After being conveyed by land from Queenstown, the provisions and other articles are here embarked in batteaux.

There are in the village some mercantile store-houses and two or three taverns. The waters of the Chippawa are always of a deep brown colour, and are very unwholesome if used for ordinary purposes. They enter the Saint Lawrence about two miles above the falls, and although they be frequently broken and rush into many rapids in their course thither, they seem obstinately to resist being mixed with the purer waters of that flood, and retain their colour in passing over the precipice. The foam produced in their precipitation is of a brownish hue, and forms the edge of the sheet which tumbles over the Table Rock. Their weight and the depth of the descent mingle them effectually with the water in the basin beneath. The colour of the Chippawa is derived from that river passing over a level country, in many places swampy, and from quantities of decayed trees which tinge it with their bark. It is also impregnated with bituminous matter, which prevents it, until it has suffered the most violent agitation and separation of particles, from incorporating with the more transparent and uncorrupted stream of the Saint Lawrence.

Opposite to the village of Chippawa, the current becomes so powerful that no boat can be ventured into it without imminent danger of being swept away and lost in the rapids. Between the village and the falls there are three mills, the lower for the manufacture of flour; the two upper mills, which are near to each other, and adjoining the road, are for the purposes of sawing timber into boards, and for manufacturing iron. The latter scheme has hitherto failed of success; the logs for the saw mill are conveyed down the current to this situation in a very singular manner. They are cut upon the borders of the Chippawa, and floated down to its mouth, where a reservoir, formed by a chain of log pens, is made to contain them. In proceeding downwards, in order to avoid being drawn into the vast vortex of the falls, small poles have been fixed together from the reservoir to the mill, floating at the distance of eighteen or twenty feet from the shores. They are retained in their places by poles projecting from the land, and thus the chain of poles, rising and falling with the waters, and always floating on the surface, forms a species of canal, into which the logs are separately launched, and in this manner carried from the reservoir to the mill, a distance of more than a mile.

In the vicinity of the mill there is a spring of water whose vapour is highly inflammable, and is emitted for a time with a considerable degree of force. If collected within a narrow compass, it is capable of supporting combustion for near twenty minutes, and of communicating to water placed over it in a small confined vessel, the degree of boiling temperature.

To those who are admirers of the picturesque beauties of Nature, it will be almost unnecessary to apologize for the prolixity of description with which the last communication was filled. The subject of the latter part of it, upon which we have already so long dwelt, is at once noble and *unique*. Let us therefore attempt to pursue it still further, although without the hope of being able to do it justice.

The Saint Lawrence at the confluence of the Chippawa is upwards of a league in width, and is passed to the opposite shore in boats or bateaux, about three quarters of a mile higher up than the village, and by the lower end of Navy island. The transport of goods by land to Fort Slausser, two miles above the east side of the falls, was formerly conducted from a place opposite to Queenstown. In passing through the cultivated grounds on this border of the river, immense mounds of earth, thrown up by multitudinous colonies of large black ants, are every where observable. The rapids on this branch of the river, although not so extensive, are nevertheless equally beautiful and romantic with those of the western branch. A spot at the distance of fifty yards from the pitch, affords a most advantageous and pleasing display of a scene, which in every point of view is accompanied with sublimity. Trees and rocks form the nearest objects, and between them and the islands a lively picture is exhibited of broken rapids dashing over the slippery rocks, which are hidden beneath the foaming torrents. Amid the sinuosities of the pitch, a part of the American fall is developed to the view of the spectator, and the

Montmorenci fall is imposed about half way down its depth the other parts of the eastern fall are concealed whilst a portion of the waters beneath becomes disclosed The inequalities of the precipice which have been formed by the current are here fully discoverable Several small isles covered with woods appear near the central island and add to the variety of the scene, which foliage of diversified verdure overtopped here and there by the towering cedar contributes to enliven and to adorn The Horse-shoe fall beyond the whole delights the mind with the rapidity of its movements and the animated effulgence of its hues From the station which we have now endeavoured to describe is afforded the most perfect idea of the crescent formed by the three falls, the islands and the Table Rock

To descend the perpendicular cliff on the eastern bank is attended with difficulty and with some degree of peril Few of the roots and vines which formerly hung downwards from the trees any longer remain In descending the craggy steep the adventurer must cling to the rock with his hands and feet moving onward with great caution On his arrival at the base of the cliff he is struck by a development of scenery yet more awfully stupendous than that which had before been presented to his contemplation Here nature agitated by the struggles of contending elements assumes a majestic and tremendous wildness of form Here terror seems to hold his habitation Here brilliancy profundity motion sound and tumultuous fury mingle throughout the scene The waters appear to pour from the sky with such impetuosity that a portion is thrown back in clouds of vapour The mind expanded by the immensity and splendour of surrounding objects is disposed to give issue to the sensations of awe and wonder by which she is impressed in ejaculations similar to that of the Psalmist of Israel Great and marvellous are thy works

The huge fragments of rock which have been thrown from the summit of the precipice by the irresistible strength of the torrent and which have fallen upon each other in towering heaps beneath, suggest to the imagination an idea of what may take place previous to the general consummation of this terrestrial scene, when ancient monuments of marble under which princes of the earth have for ages slept shall be burst asunder and torn up from their foundations

Can so vast, so rapid, and so continual a waste of water never drain its sources? These are inexhaustible and the body which throws itself down these cliffs, forms the sole discharge of four immense inland seas

The effect produced by the cold of winter on these sheets of water, thus rapidly agitated, is at once singular and splendid. Icicles of great thickness and length are formed along the banks from the springs which flow over them. The sources impregnated with sulphur, which drain from the hollow of the rocks, are congealed into transparent blue columns. Cones are formed by the spray, particularly on the American side, which have in several places large fissures disclosing the interior, composed of clusters of icicles, similar to the pipes of an organ. Some parts of the falls are consolidated into fluted columns, and the river above is seen partially frozen. The boughs of the trees in the surrounding woods are hung with purest icicles formed from the spray, and reflecting in every direction the rays of the sun, produce a variety of prismatic hues, and a lustre almost too refulgent to be long sustained by the powers of vision.

This part of the Saint Lawrence, which is called the Niagara river, issues from the eastern extremity of Lake Erie, and discharges itself into Lake Ontario, at the end of thirty-six miles, after undergoing the most violent agitations through an interrupted and sinuous channel. At its commencement from the former, its breadth is not more than half a mile, but it becomes afterwards enlarged, and separated into two branches by an island fifteen miles in length. The current is powerful, and the navigation for vessels is rendered intricate by innumerable hidden rocks. In the vicinity of Navy island there are two smaller isles.

The western bank between Chippawa and Lake Erie is almost entirely settled, and the road is level and in most places good. The Americans have on their side of the river a road extending from Fort Slsusser to Buffalo creek, a settlement which contains several Indian and some white families. At a spot called the Black Rock, at the lower end of the rapids, a fort has been traced and partly constructed within the limits of the United States.

Lake Erie is near three hundred miles in length, and seven hundred and ten miles in circumference. It derives its name from the Erim or Cats, a nation or tribe which once dwelt on its borders. The landscape at the entrance exhibits a pleasing variety, consisting of water, points of land, level countries, and distant mountains. The coasts are cloathed with oak, ash, chestnut, apple, and cherry trees. The south-east shore abounds in game and wild animals. The islands which it contains are Bass islands, Isle Bois blanc, Cunningham's island, East Sister, Grose isle, Middle island, Middle Sister, Point Pelee isle, Saint George's island, Ship island, Sandusky island, Turtle island, and West Sister.

"The old fort on the west side of the entrance into the lake consists of no more than a few houses a block house of logs, with some habitations for commercial people and one or two store houses A new stone fort in the form of a quadrangle is now constructing on rising ground behind the block house A company of soldiers is usually stationed here and the men are chiefly employed in assisting to conduct the transport of stores Two vessels in the service of the British government are used in navigating this lake

"The bottom of the lake consists of lime stone rock of a bluish colour with which are mingled many petrified substances animal as well as vegetable The lake is much exposed at its northern extremity to gales of wind which occasion its waters to rise to a very considerable height Vessels are at these periods in some danger of being driven ashore their cables being often cut asunder by the sharp and flinty edges of the rocks which compose the anchorage

"At ten miles and a half from the fort, in pursuing the northern coast is found a promontory which advances into the water about three hundred and fifty yards and is named Pointe a Beneaut or Abino affording for vessels a safe anchorage in its neighbourhood From hence to the grand river is twenty four miles a hill in the form of a sugar loaf intervenes and presents a good land-mark The townships in the vicinity are rapidly advancing in population and improvement and several water-mills have been constructed The Chemitre or river Waveney is eighteen miles more to the westward and Pointe à la Biche now Turkey Point lies about fourteen miles further along the coast In the townships of Woodhouse and Charlotteville which are situated on this part of the lake there is a considerable extent of country thinly timbered whose cultivation is facilitated from the want of underwood It exhibits more the appearance of a royal forest in Europe than that of and American wilderness" pp 150-175

The observations of another traveller who arrived soon after are not less instructive from a different point of view

3 Robert Sutcliff a Quaker merchant residing in Sheffield England made a prolonged visit to North America in 1804 1805 and 1806 on commercial affairs He resided for several months in Philadelphia and travelled extensively in the States of New Jersey New York Maryland and Virginia During this time he kept a careful journal without any thought of publication which was eventually edited and printed for a friend W Alexander at York in 1811 and has become a rare book In the fall of 1805 he made a leisurely journey through

New York and entered Upper Canada by way of Batavia and Buffalo, apparently with the object of seeing Niagara Falls.

11th Month 30th. After breakfasting at Buffalo Town, he wrote, I crossed the Rapids about three miles below Lake Erie. These Rapids are a very considerable River, being at this place nearly one mile over, and conveying a vast body of water which passes in its course from Lake Erie to Lake Ontario. I observed as I rode along a number of large fishes that were thrown on shore, and saw many ravens hovering about and devouring them. In travelling upon the banks of the Rapids for many miles the roaring of the Falls is heard resembling distant thunder. Being in Upper Canada, which is under our own government, it felt to me something like being in England, and occasioned a pleasing sensation. Here I observed a number of good farm houses, the pastures and wheat looked remarkably fresh and green, and a large fine herd of cattle were grazing in the fields. In conversation I found that many of the inhabitants are of German or French descent. In the afternoon I came to Fenning's[1] Tavern at Chippaway, a town on the Creek of that name. Here is a block house fortification, at which an English garrison is stationed. From the windows of the tavern clouds of mist are seen rising from the Falls, and the noise of them is so loud that a person seems to be close upon them although they are nearly three miles distant. I was informed by several of Fenning's family, that the concussion occasioned by the descent of so large a body of water is such, that in a still summer's evening, a constant tremor of the earth is perceptible, and the loose glass in the windows is so shaken as to produce considerable noise.

12th Month 1st. I lodged last night at Fenning's Tavern, where I had as good accomodation as could be desired. In this family I met with a young man[2] who had his education in our society,[3] and is a commissioner or surveyor under the English government, for the disposal of lands to new settlers. This young man kindly offered me his company and assistance in visiting the curiosities in this neighbourhood. However it being first day[4] and there being no meeting near, I preferred spending the forenoon alone. Therefore immediately after breakfast I walked down to the Falls by myself, the tremendous noise, with the volume of spray and mist arising from them, being a sufficient guide to the spot. The first view of this wonderful cataract is from the principal road, which, though not the most complete, is perhaps as beautiful as any, but being from a situation which is level with the river above the Falls a considerable part of the cataract is hid from the eye. After taking a circuit of about a mile, the path leads down a steep precipice, which is descended with considerable difficulty, and not without the aid of a long ladder, placed there by a neighbouring planter, as well for his own convenience, as for that of strangers. Immediately below the cataract, the river is confined between two steep rocks that form a deep winding valley, through which the waters flow in their course towards Lake Ontario. This valley is terminated by a perpendicular rock of 53 yards in height, which runs across, forming an angle pointing up the river, over which this vast body of water precipitates itself with astonishing rapidity, and with a noise so tremendous that it can scarcely be described. On the top of the rock is a small island, which divides the cataract into two parts, and in such a manner that the greater part of the water pours over the rocks at the extreme head of the valley, and the rest on one side of it. A little above, opposite Chippaway, the river is two miles over, but directly above the falls it narrows to about a mile in breadth. I was informed by Joseph Ellicott† and his brother, at whose house I lodged, that they had twice measured the falls, and found them to be 158 feet in height, and about 1800 yards in width from the opposite edges of the river.* I was told by the ferryman, that about 16 miles above the Falls, the river was nearly one mile in width, and that in the middle it was 40 feet in depth, and in common the stream ran at the rate of six miles in the hour. If this be really the case, and I have no cause to doubt it, the quantity of water passing over the Falls, and continually suspended between the top and bottom, may be more than 400 000 tons. If the additional weight and velocity gained by a fall of 158 feet be added, the weight of these prodigious columns of water would exceed three millions of tons. Such an enormous specific gravity falling at once into the gulf below, may bring the account of the Falls being heard, under favourable circumstances, at the distance of 40 or 50 miles, within the limits of credibility.

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[1] John Fenning. [2] Probably Malcolm Burwell. [3] The Society of Friends or Quakers. [4] Sunday.

“Having reached the bottom of the precipice, and approached as near to the cataract as I could with apparent safety, I sat down, and spent about two hours in contemplating this astonishing natural curiosity, which is said to be the greatest cataract in the world. The tremendous roar arising from the Falls, added to the awful sublimity of the spectacle of such an uncommon body of water rushing headlong from the rock with the beautiful surrounding perspective altogether form a scene which it is impossible to describe. As the morning was bright and clear a beautiful rainbow was constantly observable in the clouds of mist and spray that are constantly rising from the water below. Here I held my forenoon meeting and though no words were uttered it could scarcely be called a silent meeting, the objects before me loudly proclaiming the power and majesty of the Great First Cause and Creator of all things.

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† A noted surveyor in the State of New York.

* Note. This includes both Falls and the intersecting island, which is about 150 yards over.

In the afternoon I returned to the inn and after dinner was invited by the commanding officer of the English garrison to drink tea with him and his wife and family in the fort. I accepted his invitation and spent the evening with them very pleasantly. This officer, whose name is Tallant[1] had spent some time in Sheffield a few years back and had married his wife at Liverpool; she is an agreeable young woman and well acquainted with some friends[2] of Liverpool. They had a fine child with them and upon the whole seemed happier than could be expected in such a situation. They behaved with great kindness to me and it appeared a gratification to them to entertain an Englishman.

12th Month 2d. This morning I had the company of W. S.[3] a minister of our society belonging to Pelham monthly meeting in this neighborhood. He kindly invited me to his house to spend a few days with him but I could not conveniently accept his invitation. In the forenoon I paid another visit to the Falls and it being a dark cloudy day the whole view had a more gloomy and solemn aspect. There being none of the glare and glitter of the sunshine, the eye could rest steadily upon it and having a pencil and paper with me, I took a sketch of the scene.

In the evening I came to D. P.'s[4] of Black Creek meeting at whose house I lodged. This is a pleasant situation on the banks of Lake Erie[5] and D. P.'s establishment presents an agreeable specimen of a Back Wood family. In the room where we breakfasted was a loom for weaving, in another apartment were spinning wheels and some of the girls actively plaiting straw and making it into hats and bonnets for the family. In addition to our tea and toast, we had excellent broiled fish taken in the Lake, where they easily procure great quantities. These persons were so situated, that in their own family, they had the means of procuring nearly all the necessaries, and even many of the luxuries of life. It was a very beautiful sight, to see ten fine orderly children sitting round the table with their father and mother, who were still in the prime of life, and living independently of the uncertainties of commerce. The eldest daughter appeared to be about 16 years old. One of the sons, who was but a boy, entertained me with an account of his having lately killed a bear, as it was in pursuit of his father's hogs. The English government, in order to encourage the settlement of Upper Canada, grant to new settlers 200 acres of land, and 50 acres additional for each child, reserving to the crown the minerals and the white pines. D. P. gave me the perusal of his grants, from which I gathered the conditions. Some little expense attends the grants in the fees of office, though but trifling, and their taxes amount to a very small sum per annum for each 100 acres.

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[1] Captain Joseph Tallon of the 41st Regiment, who afterwards was distinguished at the capture of Detroit and the combat at the River Raisin when he was wounded. [2] Quakers. [3] Perhaps a clerical error for W. L. William Lundy was a leading Quaker in Stamford at that time.

[4] Probably Daniel Pound of Bertie; see Papers and Records of Ontario Historical Society, XXVI, p. 273. He brought three children with him into Upper Canada in 1785 and the others had been born in the province.

"12th Month 3d. I left Black Creek, and the morning being clear and calm, the scenery around was beautiful. After riding about 10 miles on the banks of Lake Erie, I came to Fort Erie, where I got some refreshment at the inn, and proceeding a little farther, I got into the ferry boat, in company with an old drunken Indian and his squaw. These poor creatures I had seen this morning before at the inn, endeavouring to persuade Fenning, the landlord, to exchange spirituous liquors for a piece of printed calico, which the Indian had received as a present from the agent of the British Government in Canada. I was glad to observe that Fenning had the uprightness to refuse taking advantage of this poor creature, which he might easily have done, as the Indian was then in a state of intoxication, and scarcely able to utter anything but Whisky, the name he gave to spirits. I was told in Canada, that many thousand pounds per annum are expended in presents to the Indians to ensure their friendship in time of war, and that the greater part of these presents are exchanged for spirituous liquors, which they use to great excess, many times to the loss of their lives, and always at the expense of their health." (Pp. 152-159.)

Joseph Brant, who had quarrelled with Colonel William Claus, superintendent of the affairs of the Six Nations at the Grand River, and had been deposed from his position as their representative at a general meeting of the chiefs and principal warriors at Buffalo Creek at the end of March, 1805, which he had declined to attend, voiced his discontent and resentment by an appeal to the provincial parliament.

To the Honourable the Commons House of Assembly
in Parliament Assembled &c &c

THE PETITION OF CAPTAIN JOSEPH BRANT

Respectfully sheweth

That in the year 1775 when the war between Great Britain and her Colonies had commenced the Mohawk Nation always faithful to the cause of the King took a decided and active part and leaving their families to the mercy of the enemy brought off the Indian Department through a hostile country into Canada where their conduct was highly approved by Sir Guy Carleton who in a public council with the Indians desired them to take up the hatchet and defend their rights he then solemnly engaged that we should be remunerated for any losses we might sustain during the war

Some years after when it was foreseen that the contest was likely to take an unfavorable turn we stated our situation to the late Sir Frederick Haldimand then Governor and Commander in Chief and requested a confirmation of General Carleton's promise by which it was understood that the Indians who had lost their lands should receive an equivalent in this country and at all events have them as fully confirmed as those they were possessed of before the war and the grant which we afterwards obtained is now before your Honourable House

The lands thus granted although from the quantity and situation by no means an equivalent for our losses we cheerfully accepted in full confidence that they should be our own property at least as much so as those we had sacrificed by joining the British Standard at the commencement of the war

After thus obtaining these lands which are delineated on the map which is also before Your Honourable House we with the approbation of General Haldimand settled some white families on the tract (many of whom had served with us) for the purpose of making roads and teaching our people the benefit of agriculture &c I am sorry to say that our grievances commenced upon the establishment of the present Government of Upper Canada by whom it was contemplated to curtail us of a great part of this tract

Considering ourselves under the protection of his Majesty it becomes a duty we owe to ourselves and our posterity candidly to state the difficulties we labour under Divisions have been fomented amongst the Indians by Mr Claus the Deputy Superintendent which may lead to serious consequences He has taken the most unjustifiable means to destroy our former transactions for which purpose he brought a party of Senecas from Buffalo Creek to whom he dictated a paper purporting to make void all we had done respecting the lands in question although he must have known that these Indians who live within the limits of the United States have in their present situation no right to interfere in the disposal of our lands. This will appear by referring to General Haldimand's grant

We cannot see what interest it can be to the Government to tie our hands in regard to the disposal of our own property or that Mr Claus through the means he has in his power should disunite us

That a small spot of ground of so little consequence to the British Nation should become a matter of contention we cannot suppose to be their intention but if unfortunately for us this should be the case and if ever this small tract is considered as too large for the former services and losses of the Indians in God's name let them confirm the one half

We are aware that all representations of this nature should come through the Indian Department but as they have long since ceased from paying attention to our complaints we are under the necessity of appealing to your Honorable House in hopes of obtaining relief through such means as you in your wisdom shall see fit

In behalf of the Indians

JOSEPH BRANT
York 14th February 1806 *Agent*

This petition was read in the Assembly on Saturday February 22 and Benajah Mallory the member for Norfolk and Oxford at once gave notice of a motion to consider it in committee of the whole House on the Wednesday following It does not appear that he was entirely disinterested in this action as he had leased fourteen hundred acres of their reserve from the Indians, with the intention of smelting bog iron ore which was believed to be found upon it in considerable quantities It was debated in committee on the day named and the next when a report that "the prayer of the said Petition was entitled to a further consideration and that it be recommended to the House to take it into consideration early in the next Session of Parliament" was adopted But when parliament again met the petitioner was dead

A very daring case of housebreaking and robbery caused considerable alarm and excitement and was brought to the attention of the executive government by a report from an influential local magistrate

FROM ROBERT HAMILTON TO ALEXANDER GRANT

Dear Sir

It is with much Concern that I report to you a most atrocious Burglary allmost accompanied with Murder in the case of Isaac Swayzey Esq the Collector of the public duties in this district & of the assessments of this Township —

On Saturday night the 25th Inst about Eleven oClock soon after the family had gone to sleep the front door of his house was violently forced off the hinges, the lock broken & the door laid on the floor—

Mr Swayzey alone lay in the lower Room to which this door immediately opened and suddenly awakened by the noise he had hardly time to spring from the Bed when he was Violently assaulted by a Stout Man drest in a Blanket Coat with Moccasins & his faced Blacked — With this Man he seems to have had a Violent Struggle & several Blows were given on each side—Mr Swayzes face Neck & body are much bruised and he thinks that having had a fair stroke at his Adversarys face with a Chair he cannot have failed to leave the mark of the blow there —During this scuffle two other Men nearly drest as the other as far as Mr S could distinguish but apparently younger or at least smaller were employed in breaking open a Chest of drawers which stood nearly Adjoining to the door—This they seem to have effected by the stroke of an Ax on the sloping Cover or door of the desk which was split and broken into two or three pieces. Three Bags of Money as Mr Swayzey states stood in the front of the desk. these were taken away from one which was open. some pieces of silver were scattered on the floor — The Struggle between Sweyzey and the first Man still continued — he now however received a stroke on the hind part of the head from one of the others — which he apprehended *was with a Sword* but the appearance of the Wound rather indicated the back of an Ax or some other Blunt Weapon. The three Men immediately made off without having spoken a word during the whole affair — Three Women were only in the house at this time — A man & a boy who usually sleep there had that afternoon gone to the Mill & did not get back till about one oClock in the Morning — The Women sleeped up stairs in a Room the door of which at the foot of the stairs passed from Mr Swayzeys Room They say that they were forcibly detained in this Room or on the stair by the door being shut or held fast against them — On their getting out the Men were gone & none of them were either seen or heard by the women further than in the Struggle in which they could only distinguish Mr S—s voice —

Two Magistrates myself & Doctor Kerr soon happened to be on the Spott soon after the affair happened We Met next Morning with the other Magistrates & most of the Respectable Inhabitants and from all the Circumstances we were led to conclude that the *perpetrators were well acquainted with Mr Swayzey's house & the habits of his family* —We proceeded Accordingly to search all suspected places, & to examine such suspicious Characters as we could think of but without Success or any Clue by which to guide our enquirys —

The Manner in which this affair has been Conducted, precludes the hope of finding positive Evidence to Convict the perpetrators — Circumstances such as the Mark on the face before mentioned may perhaps lead to discovery And the Evidence of an Accomplice may perhaps be obtained by a promise of Pardon & the hope of Reward — It rests therefore *Sir* with you as president & with the Wisdom of Council to Determine how far this in a Proclamation may be proper or expedient —

We do not doubt but that you will see the Necessity of using every possible means to detect such dangerous Villany and deter such daring offenders to whose Machinations the Country in its present State is so peculiarly exposed —

I am happy to Report that Mr Swayzeys life is not thought in Danger — I have not heard the Amount of his loss ascertained

With sincere Respect
I am Sir &c.

R Hamilton

The Honble
Alexander Grant President &c. &c. &c

Queenston 28th Jany 1806

(Sundries U C 1806)

After due consideration by a committee of the Executive Council the President was advised to offer a reward for information leading to the conviction of the offenders

PROCLAMATION

Alexander Grant, Esquire *President Administering the Government of the Province of Upper Canada &c &c &c*

To all whom it may concern — GREETING

Whereas a most daring Assault and Burglary were committed on the Person and in the dwelling House of Isaac

SWAYZE Esquire, in the Township and District of Niagara, by certain persons in disguise and unknown, on the night of the twenty-eighth day of January last past, by violently assaulting, wounding and bruising the said Isaac Swayze, and by breaking open and feloniously taking and carrying away large sums of Money, from his said dwelling House. NOW KNOW YE to the intent that such heinous Crimes may not go unpunished, and that the Persons and Property of his Majesty's Subjects in this part of his Dominions may be secure under the protection of the law - I, ALEXANDER GRANT, Esquire, President, administering the Government of the Province of Upper Canada as aforesaid, Do, by and with the advice of the Executive Council of the said Province, hereby offer a Reward of SIX HUNDRED DOLLARS to any person or persons who shall make such discovery and give such information, so that the perpetrator or perpetrators of the said crime or crimes shall be convicted of the same. And I do hereby further, offer his Majesty's most gracious Pardon to such person or persons as may be accessary or accessaries to the commission of the said crime or crimes, who shall honestly and without fraud discover the principal or principals who hath or have committed the same

GIVEN under my Hand and Seal at Arms, at York, this eighteenth day of February, in the year of our Lord one thousand eight hundred and six, and forty-sixth year of his Majesty's Reign

ALEXANDER GRANT, President

By his Honor's Command

WM JARVIS, Secretary

A letter from the clerk of the peace to the private secretary of the administrator throws a curious light on the uncertainty of mail delivery and the considerable cost of postage

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 8th Mrch 1806

Sir

Your letter and packet of the 25th January 1805 (sic) I yesterday received, have Eight pence Currency postage to Pay on the same — as the Clerks of the Peace have no allowance for Postage or for any other business done by them — it may perhaps be as well in future to pay the Postage at the Office at York and not heap the expense upon the Clerks — although trifling as Eight pence may appear at the Capital yet it is something to a Clerk of the peace with a large family at Niagara — I only {send} you the Out side Covers in order that you may see the post Mark 27th Jany 1805

I have the Honor to be &c

RALFE CLENCH

Wm Stanton Esq

Chief Clerk President Office
York

(Sundries Upper Canada 1806)

Under the existing militia act the responsibility for the local organization of regiments and authority to recommend the appointment of officers was vested in the lieutenant of the county who naturally endeavoured to secure the services of the most energetic and influential residents to the several townships.

FROM HON ROBERT HAMILTON TO
HON ALEXANDER GRANT

Sir

In consequence of some dissatisfaction and Inconvenience having arisen in the Militia of this County owing to the establishment of a Corps of Artillery which tho recommended & approved of by General Simcoe while Lieut Governor is not Authorized by the Statute of the Province I have been induced to alter the System and to bring the whole body of the Militia into the general Line

This Alteration with the several Vacancies that have lately occurred require a Promotion and new Appointment of Officers a list of Which I have now the Honor to submit for your Inspection and for your Sanction by Signature of approvenal — I take the liberty to request that this may be sent back by the first Opportunity as I am Anxious to have the Officers of the three Regiments in orders by the fourth of June

With Sincere Respect

I am Sir &c

R HAMILTON

Lieut County Lincoln.

To his honor

Alexander Grant Esquire
President of the Province
of U C.

Queenston April 28. 1806

PROMOTIONS IN THE LINCOLN MILATIA

Lieut Colonel Ralfe Clench	to be	Colonel
Major Robert Kerr	to be	Lieut Colonel
Major Johnson Buttler	to be	Lieut Colonel
Captain David Secord	to be	Major
Captain James Muirhead	to be	Major
Captain John Mackay	to be	Major
Lieut George Lawe	to be	Captain
Lieutenant William Robertson	to be	Captain
Lieutenant John Powell	to be	Captain
Lieutenant George Turney	to be	Captain
Lieutenant John Crysler	to be	Captain
Lieutenant James McLean	to be	Captain
Lieutenant James Secord	to be	Captain
Lieutenant Daniel House	to be	Captain
Lieutenant James Dawdy	to be	Captain
Ensign George Read	to be	Lieutenant
Ensign Gilbert Fields	to be	Lieutenant
Ensign Martin McClellan	to be	Lieutenant
Ensign Henry Smith	to be	Lieutenant
Ensign Latham Stole	to be	Lieutenant
Ensign Nicholas Smith	to be	Lieutenant
Ensign Frederick Markle	to be	Lieutenant
Ensign David Bastedo	to be	Lieutenant
Ensign George Keefer	to be	Lieutenant
Ensign Jacob Bean	to be	Lieutenant
Ensign Pearce Moore	to be	Lieutenant
Ensign Henry Hixon	to be	Lieutenant
Ensign Joseph Smith	to be	Lieutenant
Ensign Ralph Walker	to be	Lieutenant
Serjeant William Wallace	to be	Lieutenant
Serjeant William Dorman	to be	Lieutenant
John Secord Gentleman	to be	Ensign
George Hamilton Gent	to be	Ensign
George A Ball Gent	to be	Ensign
John Servoss Gent	to be	Ensign
Henry Pawling Gent	to be	Ensign
William Servoss Gent	to be	Ensign
James Hainer Gent	to be	Ensign
Simcoe Stevenson Gent	to be	Ensign

Elijah Secord Gent	to be	Ensign
Serjeant Robert Brooks	to be	Ensign
Serjeant Christopher Buckner	to be	Ensign
John Cooke Gent	to be	Ensign
John C Ball Gent	to be	Ensign
John MacMicking Gent	to be	Ensign
Anthony Upper Gent	to be	Ensign
Lewis Clement Gent	to be	Ensign
Serjeant Benjamin Smith	to be	Ensign
Serjeant Joseph Snyder	to be	Ensign
John Henry Gent	to be	Ensign
Robert Pettit Gent	to be	Ensign
William Hill Gent	to be	Ensign
Henry Nelles Gent	to be	Ensign
Alexander Cameron Gent	to be	Ensign
John Clark Gent	to be	Ensign
Andrew Rorback Gent	to be	Ensign
John I Taylor Gent	to be	Ensign
Daniel Secord Gent	to be	Ensign

The above List will compleat the Eastern Regiment of the 1st Riding and the Regiments of the 2nd and 3d Ridings of Militia of the County of Lincoln

Thomas Clark Esquire Deputy Lieutenant for the Middle Riding of the District of Niagara.

The foregoing List of Officers is to complete Three Regiments of the Militia of Lincoln and is presented to His Honor the President of the Province and his Approbation is requested by

his most Obedient and
very humble Servant

(Signed) R HAMILTON
Lieutenant County Lincoln

Queenston April 28th 1806
York 7 May 1806

Approved
(Signed) ALEXR GRANT
President

(Sundries Upper Canada 1806)

An effort to compile an estimate of the population of the province met with scanty success owing to the neglect of the township clerks to comply with a recent provincial act

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 20th May 1806

Sir

Yours of the 1st instant I this day Received and regret much that I have it not in my power to comply with the Presidents Commands The Town Clerks a very few indeed excepted have never yet sent into the Office any annual Acct whatever nor more than three or four Townships have been received for Many years past and but One of those (Niagara) agreeable to the Statute

I have the Honor to be &c

RALFE CLENCH,
Clerk of the Peace

Endorsed —From R CLENCH
regrets that it is not
in his power to send
an abstract of the
Population

(Sundries Upper Canada 1806)

A letter to John Askin from his grandson William Robertson then a merchant at Queenston written at that place on 9th October 1806[1] contains a hasty reference to the fatal duel between William Dickson and William Weeks, of which he had just been informed

> Ill news travels fast — since writing the above I have heard that Mr Weeks has been mortally wounded in a duel by Mr W Dickson Major or Capt Hunt[2] who was up with you and by the by is said to be a great scoundrel is supposed to be at the bottom of it Judge Thorp also appears much blamed The parties fought on the American side the first Shot took effect & passed through Mr Week's body from the right to the left side but Mr Dickson is not blamed Mr Weeks is much lamented by his friends and every one else

(Askin Papers Dominion Archives)

The controversy in court between Dickson and Weeks was described in a letter from Hon Robert Hamilton and Joseph

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[1] It has been stated that this duel was fought on October 10 which is apparently an error The entry recording his burial in the register of St Mark's church is dated October 7 [2] Probably Henry Jackson Hunt afterwards a merchant in Detroit

Edwards who were sitting as assessors with Mr Justice Thorpe at the time addressed to the Lieutenant Governor which is undated but evidently written very soon after it took place

Sir

The very extraordinary circumstances which have occurred at the last assizes for this District and which have unfortunately led to the death of a Member of the Society we think it our duty as we had the honour to be associated on the bench with Mr Justice Thorpe to state to your Excellency In a case in which Mr Weekes the Attorney was employed he took opportunity while addressing the Court to introduce the character of our worthy late Governor Lieut General Hunter the Chief Justice Mr Allcock and several others of the most respectable characters in the Government of this Province and to rail against them with the utmost degree of asperity General Hunter he stigmatized with the epithet of Gothic Barbarian whom the providence of God had removed from this world for his tyranny and iniquity

He stated Mr Chief Justice Allcock as having a personal animosity against his present client and as having been the cause of the Indictment being preferred and attempted to turn his character to ridicule by relating idle stories equally (as we believe) groundless and malevolent

The presiding Judge sat with the greatest composure to hear this abuse tho totally irrelevant to the cause then before him if he did not applaud he certainly shewed no serious signs of disapprobation

We his associates indignant at this indecent conduct from the Bar and at the apathy in the Judge would have left the Bench to shew our resentment had not respect for the Court detained us resolving however most determinedly never to be exposed to the like again by declining this and all other duty with this Judge Mr Justice Thorpe had the day before requested the early attendance of the person whose signature is first to this paper assigning as a reason that he understood a very elaborate argument was to be given by Mr Weekes As the argument produced was elaborate only in malice and misrepresentations we are tempted to believe that the Judge if not aiding in the fabrication was certainly previously acquainted with the matter it contained and that it was not delivered without his privity and probable consent

Your Excellency has doubtless been informed that this Mr Weekes has since fallen a sacrifice to his malice and obstinacy here too we fear the interference of the Judge or of his party operated in forwarding the melancholy event We are assured that for some time after Mr Dickson's replication to this speech in which he warmly reprobated such language as disrespectful in the highest degree to a Court of Justice and most probably arising from private malevolence and the rancour in the speaker's mind Mr Weekes shewed no signs of particular resentment to Mr Dickson that he even had left Niagara on his return to York and unexpectedly returned the following morning and gave a challenge from which no reasonable explanation could induce him to recede We have strong reasons for thinking from the conversation of this Party that perhaps some rash promise given when warm produced that obstinacy which proved fatal to him

In the above statement we have carefully recited facts to the best of our recollection In matters of opinion we have to request you to excuse what may appear erroneous

And we are with sincere respect

Your Excellency's most obedient and
very humble servants

R HAMILTON
JOSEPH EDWARDS

(Colonial Office Records, Vol 306 pp 83 85)

Isaac Swayze who then in conjunction with Ralfe Clench represented the second third and fourth ridings of the county of Lincoln in Legislative Assembly endeavoured to obtain reimbursement for the loss he declared he had sustained by the recent robbery of his house in connection with which it does not appear that any arrest had been made

THE PETITION OF ISAAC SWAZEY

To the Honorable the Commons House of Assembly of the Province of Upper Canada in Parliament assembled

The Petition of Isaac Swazey Inspector for the District of Niagara.

Humbly Sheweth

That Your Petitioner has been commissioned Inspector of Licenses for the District of Niagara. That in consequence of the power vested in him by law he collected a considerable sum of money for Duties on Licenses issued 5th January 1806

That on the night of the twenty eighth day of January 1806 his House was broken open and he was robbed of large sums of money of his own private property and the public That amongst the said money was the sum of One Hundred and Seventy Eight Pounds Five Shillings and Eightpence Farthing Provincial currency collected on account of Duties on Shop Tavern and Still Licenses issued the said 5th January 1806

Your Petitioner presumes he has always been punctual in his payments and diligent in the discharge of his duty as Inspector and he believes he will be able to prove to the Honorable House that the said sum was not lost by any negligence on his part

Wherefore Your Petitioner prays that the House will take his case into consideration and grant such relief as they in their wisdom shall think meet and Your Petitioner as in duty bound will ever pray

(Signed) ISAAC SWAZEY

York 19th February 1807

A bill was introduced for his relief which was read a first and second time and referred to a committee of the whole House which reported that further consideration should be postponed until the first week in the next ensuing session which on a division was carried by a majority of five votes, fifteen members voting. Mr Swazey was then permitted to withdraw his petition with the affidavits annexed to it

Many of the duties which in later years devolved upon the county councils were then in the hands of the magistrates assembled in quarter sessions whose powers were limited by a provincial statute restricting their expenditure.

THE PETITION OF MAGISTRATES AND OTHER INHABITANTS OF THE NIAGARA DISTRICT

To the Honorable the Speaker and Members of the House of Assembly at York —

The Petition of the Magistrates and principal Inhabitants living along the road between the Lakes Ontario and Erie and its vicinity —

Sheweth —

That the Bridge crossing the mouth of the Chippawa Creek upwards of three hundred feet in length is so much decayed as to render the passing unsafe and has twice endangered the lives of passengers and teams by breaking down

Your Petitioners deem it unnecessary to enlarge on the utility (and indeed the necessity) of a bridge Then since it is so well known to many of the Gentlemen in Your House particularly those representing this part of the Province they

presume to say that no road in this district is more travelled than the road above mentioned

The law authorizing the Magistrates in Quarter Sessions to draw on the County Treasurer for the repair of highways and bridges does not allow them to exceed the sum of Fifty Pounds for any one bridge which in the present exigence is far too small a sum

Your Petitioners therefore pray that the Legislative Body will be pleased to authorize the Magistrates of the Niagara District in Quarter Sessions assembled to apply an additional sum of Two Hundred Pounds of the County money to defray the expense of building a bridge across the mouth of Chippawa Creek, or make such other provisions as the necessity of the case requires and which in your wisdom shall seem meet

And Your Petitioners will ever pray

JOHN WARREN, SR.
THOMAS CUMMINGS
SAM'L STREET SR
ALEXR. DOUGLAS and others

This petition bears no date but was read in the Legislative Assembly on the 26th February 1807

When the sale of several blocks of the lands composing the reservation for the Six Nations on the Grand River was approved by the Executive Council Hon D W Smith the Surveyor General William Claus then Superintendent and Alexander Stewart a barrister residing in Niagara were appointed trustees for the management of this business Smith had since removed to England and the responsibility had devolved upon Claus and Stewart causing them considerable anxiety owing to dissatisfaction among the Indians who were divided into contending faction.

FROM WILLIAM CLAUS TO WILLIAM HALTON

Fort George 24th March 1807

Sir

I am extremely anxious to hear what Mr Jarvis intends doing respecting Block No 5 on the Grand River for which he pledged himself on the 4th September last to surrender to the Crown in three months from that date in case he did not comply with the terms on which the lands were originally purchased by him as one of the Trustees I beg leave to say thet no one part of that agreement has been complied with to my knowledge I beg leave further to add thet such persons are now ready to come forward to purchase that Tract, as I am confident will meet the approbation of His Excellency

I am also very anxious to hear how far His Excellency is pleased to approve the arrangement made by the Six Nations in Council 23d September last respecting Block No. 3 formerly purchased by William Wallace as I have been informed that the persons who were recommended at this Council for the purchase of the remaining part of that Township (45 185 acres) will come forward in the course of a fortnight to tender me the money for the same amounting to £5648 2.6 Pro Curry

In my letter to His Excellency 11th Sept 1806 I explained the difficulties & expence attending the mode directed by the Executive Government for the funding of the money arising from the sale of the Indian land which still causes dissatisfaction among them that mode must still be followed by me upon the receipts of the further payments which I look for daily unless altered by the same power that authorised it

I beg that the above may be Submitted to His Excellency the Lieut Governor for his consideration

(Sundries U C 1807)

In 1804 at the instance of the Colonial Secretary an act had been passed by the provincial parliament for the encouragement of the growth and cultivation of Hemp within this Province and the exportation thereof and appropriating one thousand pounds for the purchase of merchantable hemp grown in the province at the price of forty pounds per ton by commissioners to be appointed by the Lieutenant Governor Robert Hamilton had accordingly been appointed one of the commissioners by General Hunter and was continued in office by Grant

From Robert Hamilton to William Stanton

Sir

I have been much honored with yours of 16th Ins Accompanied with 75 Copies of the Hemp Remarks which I shall endeavour to distribute in this Vicinity so as to meet his Honor the Presidents Wishes. —

Tendering thro you to him my best Respects I remain

Sir

your very hum Sert

R Hamilton

Wm Stanton Esqr

Queenston July 22 1808

(Sundries Upper Canada 1806)

Joseph Frobisher a prosperous merchant in Montreal who was considerably interested in the fur trade with the North West has briefly recorded his visit to Niagara in 1807 in his unpublished journal He was accompanied by Isaac Todd another leading merchant

July 1807

Tuesday 14 —Arrived within the Bar at Niagara at 9 oClock in the Evening & slept on Board [the Simcoe Captain Sampson]

Wednesday 15 —Breakfasted on Board Dined at Emseys Tavern — Major Short & Capt Roy of 41st Revd Mr Addison & Mr Thomas Dickson Dined with us & in the Evening Rode up to Queenston & slept at Mr Hamilton

Thursday 16 —Went to Niagara & Dined with Mr Jas. Coffin & returned in the Evening & slept at Mr Hamilton — N B Mr Todd remained at Home —

Fryday 17 —Went to Niagara & Dined with Lt Colonel Procter & returned in the Evening

Saturday 18 —Went with a party to see the Falls of Niagara & got down to the Table Rock Rode up as far as Chippawa & returned & Dined on the Road & Slept at Queenston Mr Hamilton

Sunday 19 —Remained at Mr Hamilton — Rain all Day

Monday 20 —Left Mr Hamilton early for Niagara & got on Board the Duke of Gloucester Commodore Steel by 8 oClock in the Morning & sailed for York which we reached by 11 oClock at Night slept on Board (4 miles from shore.)

Tuesday 21—Went on shore — Dined at Moore Tavern and asked to Join the Commodore Grant Judge Scott Mr McLean Mr Chewett & Mr Thomas Dickson

Wednesday 22 —Remained at York all Day Dined with Chief Justice Scott & slept on Board the Duke of Gloucester & got under way

Thursday 23 —After being becalmed all the forenoon the Wind spring up about noon & got into Niagara about 4 oClock & Dined at 41st Mess & in the Evening went to Queenston & slept at Mr Hamilton

Friday 24 —Mr Todd went to Niagara on Business & I went up as far as Chippawa & found Mr & Mrs Waddington at the falls of Niagara — they returned with me & we Dined at Mr Thomas Dickson at Queenston

Saturday 25.—Remained at Home all Day

Sunday 26.—Went to Church at Niagara & Dined at 41st Mess with Mrs Waddington & several other Ladys & returned Home in the Evening.

Monday 27.—Got all our Baggage on Board of the Simcoe Mr Todd & Mrs Waddington & servants also went on Board & Mr Waddington & myself Rode down to Niagara & Dined with Doctor Kerr — at 6 oClock the Simcoe got down & we went on Board & got under way with a slight Breeze —

Tuesday 28.—A good Breeze all Day arrived at Kingston at 7 oClock in the Evening & slept at Walker Tavern

After his return to Montreal on July 31 he summed up his journey in the following words

N B after being absent about 25 days vizt

6½ Days from Montreal to Kingston
1½ do remained there
1 do in crossing Lake Ontario to Niagara
5 do remained at Queenston & Niagara
1 do in Crossing to York.
2 do remained there
1 do. in Crossing back to Niagara
4 do. remained at Niagara & Queenston
1 do. in crossing the lake to Kingston
2/3 da remained at Kingston
2 1/3 da to La Chine

25 Days

The attack by the British frigate Leopard upon the United States frigate Chesapeake combined with a general feeling of unrest among the western Indians seemed a certain portent of hostilities and caused evident anxiety among merchants everywhere in Canada

FROM THE QUEBEC GAZETTE

Thursday September 3 1807

It is stated in a Pittsburg paper that the British merchants at Michilimakinac refuse purchasing any articles of country produce from the Americans, and are preparing to remove their effects from our territory It is further stated that the difficulties with the Indians on that frontier are such as to render it unsafe to travel from Chicago to Detroit by land (To the above intelligence we can add from good authority that the whole of the Indian nations have offered their services to the British Government in case of war with the United States)

About the same time it was reported and widely believed that General Moreau who had been exiled from France and had taken up his residence in the United States would be offered the command of an army organized for the invasion of Canada

COLONIAL OFFICE RECORDS NOVA SCOTIA

Series A Vol 139 pp. 329 330

Halifax Septr 4th 1807

Sir

For the information of His Royal Highness the Commander in Chief I take the opportunity of a Letter Admiral Berkeley will dispatch this day to England of acquainting you that it is generally reported at New York (in the event of War) that General Moreau is to have the command of the American Army he is gone to Canada on pretence of seeing the Falls of Niagara but it is clearly for the express purpose of making himself acquainted with the Country

I have &c
M HUNTER
M Gl

Newspapers in the United States continued to publish alarming intelligence from the Indian territory some of which was reprinted in *Quebec Gazette* a semi official publication

FROM THE QUEBEC GAZETTE

Thursday November 12 1807

New York Oct 16 to 24

From a Gentleman just from Ohio intelligence of considerable importance has been received that the Potawattomie Winnanyaw and other Indians to the number of nine hundred have assembled at Greenville on Mud River Ohio The Colonel of the Militia of that part went to them for the purpose of ascertaining their object and numbers. The Indians refused to give him any satisfaction on the subject He then went to the Prophet and told him if he did not, he should inform the government of his country He replied I care not a d—n for you at the government of your country I can blow you off the earth like sand from my hand Six hundred of the Kentucky militia had crossed the Ohio at Limestone commanded by General Scott and 1500 Ohio militia were required to march for the purpose of dispersing them

It was reported at Chillicothe that seven thousand Indians had crossed the Lakes and that a number of British agents were among them and it was supposed the former were waiting until joined by these others, when it was expected they would attack the whites

LEXINGTON TELEGRAPH

NEW YORK Oct 17—A letter from Mr Rathbone Missionary among the Indians says that the Chiefs of the six nations are peaceably inclined towards the United States It appears from the report of the commissioners sent out by the Governor of Ohio, that the Indians near Greenville are not hostile The Prophet is said to preach peace being thus taught not by man but by the *Great Spirit* Blue Jacket in a talk addressed to the commissioner stated as their chief complaint that the government agent at Fort Wayne (Mr Wells) was disliked

FROM THE QUEBEC GAZETTE

Thursday December 24 1807

Extract of a letter from a respectable citizen of the U S captain of a trading vessel on Lake Erie dated Fort Erie Roads October 23d 1807

The British have armed all their vessels on this lake viz, the Camden Snow of 18 guns the Gen Hunter a brig of 10 guns, and all their merchant vessels. On Lake Ontario as I am informed, the Duke of Kent a snow of 18 guns a ship the Toronto of 24 guns, and the Governor s yacht the latter a few days since exercised her men and guns alongside the brig Adams

Should hostilities actually take place between the U S and G Britain the posts of Michillimackinac and Chicago it is most probable would be the first places the British would strike to expose a more extensive frontier to the Indians whom they are tampering with to obtain an alliance

The appointment of an experienced officer on the half pay list of the regular army who was also a member of the Executive Council as adjutant general of militia had considerable significance

From the Quebec Gazette

Thursday January 14 1808

York U C —His Excellency the Lieut Governor has been pleased to appoint Lieut Col Aeneas Shaw to be Adjutant General of the Militia forces in this Province

Departed this life on Tuesday the 24th ult. Capt Joseph Brant aged 65 years

A few immigrants from the British West Indies and some even from Saint Domingo had arrived in Upper Canada and this seems to have encouraged others to contemplate following them.

From Robert Nichol to William Halton

Niagara May 14 — 1808

Sir

I have just received a letter from a Gentleman of very considerable property in the Island of St Vincent stating it to be the intention of himself and several other Gentlemen in that Island to Come to this Country with the view of settling in it — and requesting me to say — to what extent persons of his description might expect to receive Grants of Crown Lands on their arrival in the Province — The Gentleman is an European and of undoubted loyalty and as this Province may eventually benefit by the Migration to it of such Characters — I am anxious to transmit to him the most Correct information in my power and if possible from an Official Source —

Doctor Kerr who is the bearer of this has been written to on the Same Subject and can give His Excellency the Lieut Governor more Satisfactory Accounts of the Gentleman in question

(Sundries U C. 1808)

The movement of regular troops of the United States army to reinforce the garrisons of their frontier posts and the arbitrary seizure of boats laden with goods for the Indian trade by the collector of customs at Fort Niagara seemed to portend a declaration of war and naturally increased alarm and led to vigorous protests from their proprietors supported by the Lieutenant Governor and the Governor General

From Robert Nichol to Brigadier General Brock

Niagara May 21 — 1808

My Dear Sir

Conceiving that in the present State of our Affairs with

the United States it might be desirable for His Excellency the Commander in Chief to have early and correct information of any Movement of the American Troops on our Frontiers — I have conceived it to be my duty to State to you that I have received intelligence that can be depended upon that strong reinforcements of Troops of the line have been ordered from the interior of the United States to the posts of Detroit & Michilimackinac and that a detachment of these amounting to upwards of a hundred Men has already Arrived at Presqu'isle on Lake Erie — I have Conversed with the Captain of the Vessell Chartered to Carry them up — My reasons for being so forward to report this to you is that the sudden Collection of a large force at the present time in those places might very materially affect our intercourse with the Indian Nations and dispose them to Commit hostilities on our distant Settlements before we could afford them the necessary protection — While writing a most unpleasant circumstance has taken place which is I think strong evidence of the hostile intentions of the United States —

Twenty Boats belonging to the North West and South West Companies — Navigating Lake Ontario under the faith of the Treaty of Amity and Commerce — were this Morning fired upon by the American Garrison and Seventeen of the Twenty Captured — the remaining three Made their Escape to this Side — it is unnecessary for me to say More on this Subject as I presume a correct Statement of the fact will be forwarded to the proper Authorities —

I write in great haste the vessel being just on the point of Sailing

I am with much respect

ROBT NICHOL

Brigr General Brock
&c &c &c
Montreal

(C 363 pp 41 3)

FROM ROBERT HAMILTON TO CAPTAIN LEONARD

Queenston May 23rd 1808

Sir

After the conversation I had with you on Saturday on the subject of the Goods now Seized and forcibly detained at your Post the property of the Mackinac Company and solely intended for the Trade with the Indians I think it my duty

to state to you *in this way* the following facts — That however the matter may terminate you may not have it in your power to say, that you were uninformed of them — Most probably this statement may be laid before your Government and mine also

Sir James Craig the Commander in Chief of the British Territories in America did send to the President of the United States by Mr Gillespie of Montreal a Representation of the state of the Indian Trade in the interior parts of this country, and of the danger to be apprehended from the Indians of those parts were they prevented from receiving their usual Supplies — Mr Gillespie has returned to Montreal perfectly satisfied that this Representation would be attended with the best effects, and having assurance given him that the Indian Trade should not, in any way be affected either by the Nonimportation or the Embargo Law and in confirmation of these assurances having been given him we see in the last Supplementary Act on this subject the 15th Section of which most compleatly replaces this Trade in the situation it was in prior to the passing of any of these Acts — As you have this act in your possession, I do not trouble you with a Repetition of the Clause referred to — But as you must observe in it full liberty is given for the importation of British Merchandize into the United States for the purpose of Trading with the Indians surely it is absurd to suppose it meant to interdict the persons employed in the Transport of the Goods from touching on the American side of the River or Lakes not for the purpose of Trade but solely for refreshment

On Mr Gillespie's return to Montreal the Mackinac Company, trusting implicitly to the assurances given him at Washington proceeded to dispatch the boats usually employed in this Trade and directed the men to pursue the usual Rout along the south side of Lake Ontario as being the safest and shortest and as being the rout the Canadians were best acquainted with.

They came unmolested until they reached the mouth of the Niagara River — where in the Waters which divide the two countries they were assailed by a Military force from the Garrison you command — Brought forcibly on shore the Boats and Goods seized by a Collector at your Post and the men thus forcibly deprived of the property they had in charge compelled to leave it and their Boats and to cross the River in the best manner they could without the means of prosecuting their Voyage or of returning back from whence they came —

What you Sir as Commanding Officer may think of in forcing these very strong measures by the aid of your Musketry loaded with Ball some of which reached the house on the

British side of the River and this against unarmed Men who did not understand your Language nor could conceive your wish *I cannot say* — But had any fatal accident arrisen from this unnecessary exertion of your power — We cannot help thinking that it might have had a very *serious personal consequence to yourself*

Thus much for the Facts that have passed The Evil that has been done may yet be remedied by giving up the Goods and permitting the men in their boats to prosecute their intended Voyage

If you or the Collector are in any doubt with regard to the Quality of the Goods or their destination for the Indian Trade — this shall be ascertained to you by any proof you can in reason require — If you wish for any security that these Goods shall be delivered at the places of their original destination without change or defaleation I here offer it to you to any extent you can possibly in reason demand —

Should these Goods be detained until your Collector can make his Report and receive an answer from Washington the intention of the Voyage is compleatly frustrated — The Goods may just as well be detained Eight Months as Eight Weeks and this is the time you admit an answer may be expected by the Post — As by such delay an absolute impossibility arises of reaching with them in this Season the different inland Trading Posts for which they were intended

Neither you nor I can doubt after reading the 15th Section of the Act of Congress above referred to But that these Goods will be instantly ordered to be delivered back and will you assist your Collector in detaining them contrary to an express law of your own country with the certainty that their detention can produce no sort of good or advantage either to you or to him but must be attended by incalculable loss to the other party?

I address this to you as I am well assured your advice to the Collector will have full effect in determining his conduct

I am Sir &c

R HAMILTON

Captain Leonard

Commanding the Troops of the

United States Fort Niagara.

FROM THOMAS CLARK TO BLEAKLEY AND POTHIER

Kingston May 24th 1808

Messrs. Bleakley & Pothier

Gentlemen

Ere this reaches you will have learnt by Mr James Crooke that eight of your Boats going round the Lakes have been stopped and seized by the American Custom House Officer at the Garrison of Niagara on Saturday last Mr Hamilton and Mr Thomas Dickson being then at Niagara went over to the Garrison and entered a protest against the Collector's conduct — the Collector said his reasons for seizing them were because they had not regularly entered and reported in passing — On Saturday evening when I first heard of their seizure I learnt that nine Boats were still behind and that the Americans had sent down the Lake to intercept them I immediately got a Boat and with some of my acquaintances went down the Lake in the night and had the good fortune to fall in with them first about 18 Miles below Niagara Fort and had the good luck to bring five of them along with us to this place the other 4 having escaped us last night and went ashore from fatigue not having stopped since I first found them at the 18 Mile Creek I however think they will arrive this evening and escape the crew of the Niagara Collector who followed us near 100 Miles I brought La Belle along with me from Niagara, who will conduct the Boats round the north side of the Lake — At my return to Niagara I will dispatch the three Boats that escaped to Sandwich as also the nine when they arrive distributing amongst them the crews of the 8 Boats that were seized presuming that you will require all the men to send into the Indian Country

Finding a vessel at this place just going off to Niagara I return with her not having been here *two hours* when I get home every effort shall be made to get the Goods and Boats released in the meantime I think you will do well to apply at Washington for their being delivered up

—I am Gentlemen
Your very obed Servant

(Signed) THOMAS CLARK.

FROM CAPTAIN J LEONARD TO ROBERT HAMILTON

Fort Niagara May 24th 1808

Sir

I have the honor to acknowledge the receipt of your Letter of the 23rd Instant

From my Military Situation I think it would be highly improper on my part, to go into the discussion of the principles which governed the United States Collector at this Post in the seizure made by him on Saturday last of the Goods boats, &ca stated by you as belonging to the British Mackinac Company

I must beg leave however to observe that my reply must be only conformable to the observations I made you on the day of the Seizure in the presence of James Muirhead and Thomas Dickson Esquires of Upper Canada and Doctor Joseph West of the United States Army — That the proceedings were under the direction of the Civil Authority of the United States

In answer to that part of your communication which calls in question the propriety of my Military Conduct as Commandant of this Post — I feel myself bound from the expression contained therein, to observe that the laws of my country exact from me a Sacred regard to its Civil Institutions and a prompt and ready obedience to its civil authority and that under these impressions and from mature Reflection and deliberation and under the proper application of the Collector at this Post I did conceive it my bounden duty to call forth such part of my Garrison as I presumed commensurate with the object in view

I am Sir &c.

J LEONARD.

To
The Honble
Robert Hamilton
Queenston

FROM ROBERT HAMILTON AND THOMAS DICKSON
TO LIEUT-GOVERNOR GORE

Queenston May 25th 1808

Sir

Acting as Agents for some of the Merchants in Montreal engaged in the Peltry trade with the Indians in the interior parts of this Country we think it our duty to state to your Excellency a circumstance that has taken place in this Quarter which threatens to be prejudicial in the highest degree to that body in general but particularly to those of them trading under the Firm of the Mackinac Company

In consequence of the Arrangements made this Spring at

Washington with the Government of the United States thro the Agency of Mr Gillespie a Merchant of Montreal and from which originated (as we suppose) the 15th Section of the last Supplementary Act regarding the Embargo — This Company fitted out and dispatched by the usual Route of the Lakes Twenty Boats laden with Merchandise solely intended for the Indian Trade and consisting of the usual Annual Supplies for these Nations

On the 21st Instant these Boats were stopped in the Waters which divide the two Countries by a Military armed force from the Garrison of Niagara Eight of them forcibly taken in Shore were seized by the Collector of that Post — The Goods unladen and Carried into the Fort — and the Men compelled to abandon the Boats and Cargoes committed to their Charge were turned adrift, to cross the River to the British side in the best manner they could

We went on hearing this to the Collector at the American Post to inquire into the reason of this extraordinary Measure — We could only learn from him that he had Seized the Boats and the Goods because the Men had attempted to pass a Port of Entry without making a Report a Form we believe only required by the last Supplementary Embargo Act of which these people could have no knowledge a Thing never before demanded from Boats in this trade and to which the Canadians who alone navigated these boats are perfect Strangers

The Commanding Officer on application being made to him declined all interference — having only Acted (as he says the Laws of his Country direct) in Aid of a Collector

Thus situated it was thought expedient to state to him the Commanding Officer in a *Letter* the whole circumstances of the Case offering to him the fullest proofs of the Quality of the Cargoes he could require and tendering to him the amplest Security for the delivery of these Goods at the place of destination and for the sole purpose of the Indian Trade that he could demand A Copy of this Letter as also of the Commanding Officer's Answer we now have the honor to enclose — We have also Joined in a Protest against the Conduct of the American Collector delivered in as formal a Manner as our Situation would admit

Three of these Boats came on Shore on our Side and are with their Cargoes now here — to Nine others that were still behind in the Lake intelligence of the above event has been conveyed, and it is hoped they have got back to Kingston but of this we are not yet certain

As the Trade carried on by this Company is of great im portance as well to them as to the Inhabitants of this Province And as this extraordinary measure must be Attended with the most serious Inconvenience and heavy loss to all Concerned and as we may foresee but cannot Calculate on the effects it may have on the Minds of the Indians to be thus deprived of their usual Annual Supplies, may we presume to hope that your Excellency may deem this an Object worthy of your Attention And that you will have the goodness by a proper Representation in such manner as you may think best to the Government of the United States to endeavour to procure the Restitution of those Boats and Goods for the Company to their Agents here Tho we are well aware that by the loss of time this requires the Object of the Voyage for the present year is totally frustrated — Still the getting back the property may prevent a total loss which most probably will ensue if it is detained for any length of time where now Stored And we would also flatter ourselves that this Representation may have the effect of preventing the Repetition of such Evil in time to come

With unfeigned respect we have &c

R Hamilton
Thomas Dickson

To

His Excellency
Francis Gore Esquire
Lieut Governor — Upper Canada
&c. &c. &c

FROM RALFE CLENCH TO AENEAS SHAW

Niagara 25th May 1808

Sir

I now enclose to you the return of the officers &c &c belonging to the First Regt of the County of Lincoln Militia I also send List for promotion and appointments for the inspection and approbation of His Excellency the Lieutenant Governor The List of Field Officers at Present doing duty with the Five Regiments within this County I beg also to lay before His Excellency and are as follows

Colonel Ralfe Clench.

1st Regt Lt Col Robert Kerr Major James Muirhead	Second Riding of the County of Lincoln
2nd Regt Lt Colonel Peter Ball Major David Secord	Laying within the Third Riding of the County of Lincoln

3rd Regt Lt Col John Warren Major Thomas Cummings.	Laying within the Fourth Riding of the County of Lincoln
4th Regt Lt Colonel Johnson Butler Major John MacKay	Laying within the Eastern part of the First Riding of the County of Lincoln
5th Regt Colonel Peter Hare Lt Colonel Andrew Bradt Major Richard Hatt	Laying within the Western part of the First Riding of the County of Lincoln

According to this order the Regiment have ever paraded at any parade trainings or Reviews the 1st 2d and 3rd Regiments were first organized under and by virtue of Commands from Lord Dorchester the 4th and 5th Regiments under Lieutenants of Counties Should His Excellency the Lieutenant Governor be pleased to number the Regiments it will be the means of preventing jealousy and disputes hereafter should the different Regiments meet on the same Parade as we hitherto have been in the habit of doing

I have the honor to be &c

RALFE CLENCH
Colonel 1st Regt L M

Honble Aeneas Shaw
Adjutant General York

(Militia papers. U C M. D 30)

FROM FRANCIS GORE TO D M ERSKINE

Niagara Upper Canada

26th May 1808

Sir

The importance of the inclosed papers No 1 2 & 3 requiring that your Excellency should be put in possession of them with the least possible delay I have forwarded them as soon as received

The Honble R Hamilton from whom I received them is a Gentleman of the most respectability in this Province a Member of his Majesty's Legislative Council and a Man whose representations may be entirely relied on

The several documents detail so accurately the Conduct of the Officers of the United States Government that it would be Superfluous for me to add any observations of my own more than to Express my strong apprehensions that the restraint which his Majesty's Government have with so much anxiety and Success laid on the Indians hitherto will become difficult and unavailing when they are informed that the usual Annual Supplies intended for them have been Seized by the Officers of the American Government

I have the honor to be &c

FRANCIS GORE
Lt Governor

His Excellency
The Honorable
David M Erskine
Washington

(Sandwich Upper Canada 1808)

A letter from Queenston published in the *Quebec Gazette* of July 14 announced Gore s hasty departure for Amherstburg three weeks later

Queenston Upper Canada June 16

Our Lieutenant Governor has been sent for by express from the Indian agent near Detroit and sets out by land this day for that quarter It is reported that some very violent resolution adopted by the Indians (on hearing that their usual supplies for their trade were stopped by the American government at Niagara) has occasioned this sudden and unexpected measure God grant that no mischief may take place before he gets up Col Claus is still there and the Governor takes with him most of the other officers of the Indian department

Gore s journey was reported in the following terms in the next issue of the *Upper Canada Gazette*

His Excellency the Lieut Governor left this place York on the 15th instant on a visit to Sandwich &c We are sorry that he did not as he originally destined proceed by Lake Huron according to his amiable intention and view of promoting the first interests of this province

FROM WILLIAM ARMSTRONG TO FRANCIS GORE

Quebec 26th May 1808

Sir

I had yesterday the Honor of receiving yours of the 30th March which was forwarded I suppose from New York to Montreal from whence I received it About the time you wrote I left the United States from whence I should most Certainly have written you had anything serious been likely to take place, but as I have all along been Convinced that it was not the Intention of that Government to go to War with Great Britain *If they can possibly Avoid it* And all their proceedings being published in the News Papers I thought it unnecessary to trouble your Excelly with my Correspondence more particularly as I was then ignorant of the *proper* mode of Conveyances

Previous however to my leaving that Country I left Directions with two of my friends at Wash and N York that in case they saw a Necessity for it to send you immediate Information by Express — As I know nothing has Occurred of the smallest Consequence you of Course have not heard from them If you should the first will be Dated F and signd L — the other will be Dated A and signed B. — and on their Information you may rely

Notwithstanding all the Supplements and Attempts to Enforce the Embargo or more properly the Non Intercourse Act Immense quantitys of Produce Comes in by every fair wind from Lake Champlain and the Inhabitants of Vermont publickly Declare they will not allow it to be Stopped — of this the Government is Convinced and rather Chuse to wink at the Infringement than run the Risk of an Insurrection which I really expect will take place should the Embargo Continue a few months longer — But a war with France is daily expected & almost unavoidable

The New York Papers will have given you the particulars of the Wonderful Change that appears to have taken place in Spain which I think will be the means of inducing our Government to pay some Attention to Col Burr's proposals, with which I have good reason to believe he is either gone or immediately going to Britain — *This to yourself only* I have Communicated it to your friend Mr C in order that he might be prepared to meet it — No other person knows of it

Seventeen Ships & Brigs arrived here within these two Days from Halifax Britain Ireland & the West Indies & many more are Expected but I dont find they bring any News. Excepting that on the 4th Inst a Report prevailed at Bermuda that a large proportion of the Troops there were about to proceed for this place —

I arrived here the end of last Month & have Reason to believe I shall remain with Sir James Craig who tho much better than he was when I arrived is still far from being so well as I sincerely wish him —

Should I not remain here it is my intention to pay a visit

to Upper Canada for the purpose of paying my Respects to your Excellency & in Person Assuring you that if in any way I can be of Service to you you may Command & Believe me to be with perfect Esteem

Your Excellencys
Most Obed Hble Servt

(Sgd) WM ARMSTRONG

His Excelly
Lieut Gov Gore.
Etc Etc

FROM THE MERCHANTS OF MONTREAL TO HON D H ERSKINE

To His Excellency the Honorable David Henry Erskine
His Majesty's Minister Plenipotentiary to the United
States of America and Washington

The Memorial of the Merchants of Montreal carrying on Trade in the Indian Country within the American Territory

Respectfully Sheweth

That your Memorialists having been apprehensive that the Revenue Officers of the American Government on the frontiers of the Indian Territory might interpret some of the Laws that were existing and had recently been passed in such manner as to impede that free intercourse which your Memorialists as British subjects have a right under an existing Treaty to enjoy in trading with the Indian Nations were induced in March last to represent the same to His Excellency the Governor in Chief of the two Canadas who was pleased thereupon to refer them to you on the subject by transmitting to your Excellency by Gen Gillespie Esquire the Memorial they had presented to him for the especial purpose of obtaining such explanations of those laws as would secure each free trade and intercourse with the said Indian Nations as were stipulated by the Treaty of Amity and Commerce between Great Britain and the United States concluded in 1794 and further confirmed by an explanatory article thereto made in 1796

That in consequence a Law was passed by the Legislature of the United States apparently so clear and explicit as removed the apprehensions that they had entertained and the Trade which before had been entered upon was continued to be prosecuted in full faith and confidence that no molestation or impediment whatever would thereto be given But notwithstanding the said Treaty and the said Law of the American

Legislature your Memorialists have learnt to their utter astonishment that a number of Batteaux belonging to your Memorialists laden with Merchandise for the Indian Trade have been lately seized at Niagara by the Revenue Officer there aided by the Military power of the Garrison as your Excellency will see by the annexed letter from the Honorable Robert Hamilton Esquire one of the Members of the Legislative Council of Upper Canada at a time too when it would appear by said Letter that the Revenue Officer was acquainted with the Section of the Law which took the Indian Trade carried on from this Country completely out of the operation of the Non Importation and Embargo acts of Congress

That this wanton and unjustifiable attack by the Collector on the property of your Memorialists and actual hostility of the Military on the persons of their Servants who are subjects of His Majesty will not be sanctioned by the American Government they are persuaded but unless such violations of Amity law and justice are put a speedy stop to by the most precise orders from the Superior to inferior Officers at a distance the Treaty will be a mere nullity — The Trade must be abandoned and all those concerned in it ruined

That this detention of property and the consequent dispersion of the Servants of your Memorialists the Crews of the said Batteaux who are thus turned adrift will so seriously break in upon the Trade of the year as to occasion a loss that may exceed fifty thousand pounds — for the Goods so detained being an essential part of a general assortment for Indian Trade must render the whole nearly useless as the want of them will be much felt in the same manner as would arms without ammunition or ammunition without arms — besides an immense expense has already been incurred from the necessary preparation for the usual Trade and which expense cannot now be prevented or curtailed — all this is so truly the case that even the restoring the detained goods at as early a period as now practicable can only repair a small part of the injury so wantonly done and will not prevent your Memorialists from looking to a full pecuniary indemnification in proper season at the hands of the American Government for the loss and injury that must be sustained by this destructive and hostile measure and in the prosecution of which claim to full indemnification they look forward with full confidence to the support of His Majesty's Government

That your Memorialists are further informed that the furs and skins arising from the Indian Trade within a part of the American Territory have been stopped on the Miamies River and prevented from being brought to the places of resdence of the proprietors within the British dominions, of which they are subjects, and if the same measure of injustice is extended to Michilimackinac, your Memorialists confidently assert that the eventual loss may exceed two hundred thousand pounds Sterling

Your Memorialists consider the stoppage and seizure of the Batteaux in question as a gross violation of the Treaty of 1794 in this further point of view, that *the right* to navigate the Lakes, Rivers and waters of the Continent of America within the country of the contracting parties is most precisely thereby secured, under *such right* these Batteaux were loaded at Montreal for a destination far beyond Niagara, and to go by the accustomed route, which necessarily leads them to coast the British shore of some of the Lakes, and the American shore of some of the others according as the said shores of one or the other are most favorable to safe navigation in Boats

In the present case, those Batteaux were peaceably proceeding to their said remote destination, along the American shore of Lake Ontario, and when crossing as usual from the point at the entrance of Niagara River, over to the British side of that River, they were most unjustifiably fired upon and brought back, although borne either by British Waters, or those to the use of which his Majesty's Subjects had an unquestionable right. It will not therefore escape your Excellency's observation that His Majesty's Subjects being so fired upon when out of the American Territory and some of the Balls actually coming over to the British side, places the transaction upon a footing of most decided and unequivocal hostility

The Collector is said to support his conduct upon the pretext of their not stopping to report — The right to demand such stoppage and report when coasting the Lakes and Rivers of communication between them, merely for the purpose of arriving at a distant destination, your Memorialists have ever denied and now deny, and they rest their pretensions upon the fair interpretation of that Treaty, which universal practise has hitherto sanctioned, and which is confirmed by an instance on Lake Huron near Michilimackinac, where a seizure of some Boats belonging to the North West Company, being made by the Collector of that Port, the property in such Boats was after a full discussion in the American Courts, restored

That under all these circumstances your Memorialists urge the necessity of your Excellency's making a strong representation to the American Government upon the subject of complaint, and obtaining from the proper authority, such explicit instructions to the Revenue and Military Officers as may immediately liberate the property detained, as also that without loss of time instructions be sent to all the interior Posts to enjoin in future a liberal and just compliance with the Treaty of Amity and Commerce and the fifteenth Section of the 4th Embargo act which relates to the Indian Trade

JAMES & AND. MCGILL & CO.
FORSYTH RICHARDSON & CO
MCTAVISH MCGILLIVRAY & CO
PARKER GERRARD OGILVY & CO
J BLEARLEY for self ⎧ Agents
GEORGE GILLESPIE ⎨ for the
TOUSSAINT POTHIER ⎪ Mack w
DAVID MITCHELL JNR ⎩ Company

Montreal 27th May 1808

FROM JAMES MCGILL TO HERMAN W RYLAND

Montreal 30th May 1808

Dear Sir —

I beg leave to trouble you with a Memorial from the Merchants of this place carrying on the Indian Trade within the American Territory to His Excellency The Governor in Chief and copy of a memorial to His Excellency David Henry Erskine His Majesty s Minister Plenipotentiary at Washington which they despatched by a confidential & Special Agent yesterday and they request you will lay the same before His Excellency the Governor in Chief — Copy of the Letter from Mr Hamilton & Spoken of in the Memorial would have accompanied these but it was forwarded yesterday by Brigadier General Brock & renders it unnecessary to trouble you with another — The Merchants were most desirous of having the recommendation of The Governor General to Mr Erskine but as this would have occasioned delay & every Hour being precious under the existing circumstances they thought it best not to lose any time more especially as they knew His Excellency s sentiments on the subject of the Indian Trade by his ready assistance in March last when Mr Gillespie went to Washington on that business

I think it right to add that since the Memorial to His Excellency was framed the Merchants have received information from the Conductor of the Battoes that were seized that he had five Battoes under his Charge with three of which he reached the British side & two of them were seized that he was fired upon by the Men from the American side who came off in a Battoe to stop them — That six other Battoes were seized which had not come up when he passed the American

Fort & he thinks must have been at some distance from the Fort when seized That further an American Boat was despatched with armed Men with the evident purpose of laying Hold of Nine other Battoes loaded which were yet in the Lake & were only prevented by the greater Celerity used by Mr Clarke of Niagara Agent for the Memorialists who in a light Battoe well manned & armed went out into the Lake to meet these nine Battoes & succeeding in bringing them back to Kingston notwithstanding they were pursued for a length of time by the American Battoe

It is proper to mention for the information of His Excellency that the Battoes in question were twenty in number divided into four Brigades that they passed Oswego an American Fort & Custom House without molestation notwithstanding they were in reach of the Collector who saw them pass & was heard to declare by a Person now here that he had no right to stop or molest them — From this circumstance it would seem either that the Collector of Niagara had not similar Instructions or if he had he has wantonly disregarded them & injured the concerned to such extent as few private fortunes can bear & still fewer make up for — Conceiving however that a different line of Conduct will obtain at the other American Ports The Merchants mean to prosecute their business, trusting that the heavy Loss they must sustain will be considered worthy the notice of the Government & compensated in due Season

I have the honor to be with your truth & regard Dear Sir

Your obedt & very h ble Servt

JAMES MCGILL

Herman Wit Ryland Esq

P S Since writing as on the other side Mr Clarke's letter has come to hand and I am forwarding a copy of it

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of The Bath Captain General and Governor in Chief in and over the Provinces of Lower Canada Upper Canada Nova Scotia New Brunswick and their several Dependencies vice admiral of the same general and commander of all His Majesty's Forces in the said Provinces of Lower Canada and Upper Canada Nova Scotia and New Brunswick and their several Dependencies and in the Island of Newfoundland &c &c &c

The memorial of the merchants of Montreal carrying on the Indian Trade within the Territory of the United States of America

Most Respectfully sheweth

That your Memorialists have been lately informed by letter from the Honorable Robert Hamilton of Niagara a member of The Legislative Council of Upper Canada that a most violent and hostile attack had been made on their Boats and Battoemen carrying Goods for the purpose of the Indian trade on passing the American side of the River of Niagara by seizing their goods to a great value and firing on their Battoemen

That in consequence of this information Your Memorialists considering the necessity of losing no time in applying for Redress have dispatched a confidential and special agent to Washington with a memorial to His Excellency D H Erskine His Majesty's Minister Plenipotentiary on the subject and of this memorial and Mr Hamilton's letter copies accompany the present for your Excellency's fuller information and to which they pray your attention

That your Memorialists after the representation transmitted by your Excellency on the same subject in March last to the Honorable Mr Erskine to which so satisfactory an answer was given by the American Legislature passing a law to exempt the Indian trade from the non importation and embargo Acts in as much as they might relate to British Subjects trading with the Indians within the American territory see with pain and astonishment that neither the Treaty of amity and commerce between Great Britain and the United States of America nor laws made by themselves are sufficient to prevent the subordinate officers of that government from committing acts of violence and injustice on British Subjects and insulting to Government

That in addition to the representations made to Mr Erskine your memorialists have to state that if the Battoes have been fired upon and the goods seized because they were passing an American post without making entry of such goods the waters of Lake Ontario and all others along the chain of internal communication must be considered as interdicted to British Subjects, for vessels must frequently from contrary winds be under the necessity of approaching within gun shot of the American shore and were they to be forcibly stopped for not reporting at such Posts the whole intercourse of merchants vessels from British Post to British Post upon the Lakes would be stopped a pretension too absurd to be endured as it might expose to seizure the Furs of The North West not coming from the American Territory and Flour and other Provisions coming direct from Detroit or Niagara within His Majesty's Dominions for we do not consider the exemption from the non importation or Embargo Laws as conferring the right of navigating the Lakes We ground such right on the Treaty of Amity and Commerce which to the subjects and citizens of Great Britain and the United States of America gives the free use in common to both of all the waters which divide their respective Territories in America.

That your Memorialists seeing the insecure state in which by this assumption of Power the whole Trade of the Upper Country is placed do for themselves and others concerned in it most earnestly entreat that you will lay their complaint before His Majesty's Minister that they may adopt such measures for granting relief and security in the premises as they shall deem necessary and in the meantime they pray that your Excellency will be pleased to communicate your sentiments to Mr Erskine on this subject and give such directions to the proper officers of Government who are charged with protecting the subject and his property as in your wisdom you may see fit

Your memorialists beg leave to add that as soon as further communication on this subject comes to their hands they will communicate the same to your Excellency and being fully aware of the loss and injury that they will sustain by this forcible detention of their property and violent act of Hostility they mean to claim full pecuniary compensation from the American Government for the same through the channel of that Government of which it is their pride and Glory to be subjects
Montreal 30th May 1808

James & And. McGill & Co.
Forsyth Richardson & Co
McTavish McGillivray & Co.
Parker Gerrard Ogilvy & Co
J Bleakley for self | Agents
George Gillespie | for the
Toussaint Pothier | Mackinaw
David Mitchell Jnr | Company

The Quebec Gazette

Thursday June 2 1808

Montreal 30th May, 1808.—We learn from Niagara that several Boats belonging to the Michilimackinac Company on passing that place were fired upon by the American fort and brought in and the property seized which was afterwards demanded by Mr Hamilton a British merchant who produced the late clause of the Embargo act as a proof that the act was unlawful The only answer which he received from the American commander was that he construed the act in a different manner and he should detain the property and take the consequences upon himself On firing upon the boats some of the balls are said to have passed over upon the British side Considerable damage is also said to have been done to the boats before they were brought to.

THE FOLLOWING IS THE CLAUSE OF THE ACT ALLUDED TO PASSED THE 22D APRIL LAST

Sec XV And be it further enacted that nothing in the act laying an embargo on all ships and vessels in the ports and harbors of the United States or in the several acts supplementary thereto or in the act to prohibit the importation of certain goods wares, and merchandize shall be construed to prevent the exportation by land or inland navigation from the territories of the United States into those of Great Britain of furs and peltries the property of subjects of Great Britain and by them purchased from the Indians or to prevent the importation by land or inland navigation from the territories of Great Britain into those of the United States of merchandize the property of British subjects and by them imported solely for the use of the Indians aforesaid

An extract from a letter from Thomas Clark to Colonel Talbot at Port Talbot dated at Queenston on June 7 shews the dislocation of commerce caused by this event

The bearer Le May Conductor of four Boats going round the Lake will deliver you three parcels — one containing news papers one clover and Rye grass seeds — the other One hundred Dollars. By the Boats at this time I was in hopes to have sent up your other articles but from 8 of them having been seized at Fort Niagara by the American Collector & 5 from desertion of the men being left at Kingston puts it out of my power having had to load the others deeper — every thing shall be sent to Fort Erie and can easily be taken to Long Point by Loders vessel that is should no direct opportunity offer for Port Talbot

Robt Nichol has gone to Washington to endeavour get his 8 Boats & goods released I expect to hear of him in the publick papers before he returns

(Coyne Talbot Papers I 98 9)

FROM JOHN RICHARDSON TO HERMAN W RYLAND

Montreal 20th June 1808

Sir —

I have had the honor of receiving your letter of the 15th instant inclosing by command of the Governor in Chief a copy of a letter to Mr J A Panet Mr J T Taschereau

Mr P Bedard Mr J L Borgia and Dr Blanchet dismissing them from their situations as officers of Militia and to Mr Plante dismissing from the office of Inspector of the King's domain and clerk of the Papier Terrier as also of a Letter to the Hon'ble G Taschereau Esquire desiring that his Son Mr J T Taschereau should be no longer employed as his Deputy in the office of Grand Voyer for the District of Quebec, and in all which Letters the reasons of dismissal are assigned

I have to return my most respectful thanks to His Excellency for his condescension in making this communication which I beg leave to express through you

Mr Michael who carried down the memorial to Mr Erskine about the seizure of the Boats at Niagara is already returned having found him at Philadelphia from whence he immediately returned to New York with a dispatch to Mr Gallatin then there — From that gentleman however no satisfaction could be had as he would not interfere in any shape until he had received the report of the seizing officer which could not be before his return to Washington

He seemed however to justify instead of condemn the requirement of an entry and report to their Custom Houses, even when only coasting their shore for an ulterior destination which principle has never before been acted upon but in one instance where the decision of their own courts was adverse thereto nor can it ever be admitted by British Subjects without rendering the right of Navigation by Treaty nugatory or even worse as a Trap for our Trade thereby to expose it to vexations that must speedily produce its annihilation — This probably is their object There is such a want of good faith on the part of America in the execution of all Treaties that we have been from first to last completely duped by giving up a substantial something to receive what by their practical exposition may amount to nothing or even worse than nothing an actual loss of property

From this little specimen at Niagara it may be seen how Jonathan would illustrate his favorite doctrine of the Liberty of the Seas if he possessed the power of the British Navy

Mr Michael on his return to New York found there Mr Nichol the person dispatched by our agents at Niagara on the same business and who intending to proceed on to Washington to obtain a final answer it became unnecessary for the former to go there also — This is the reason of his bringing no dispatch for the Governor in chief as when he left Mr Erskine at Philada it was under the impression of again seeing him — He forwards to day a Letter from Mr Bond —

The last Raft on Lake Champlain has been brought in by force — There was a good deal of firing with Ball between the people of the Raft and Militia but no lives lost although both sides seem to have been in earnest

I very respectfully am
Sir
Your Most Obedt Servant

JOHN RICHARDSON

Herman W Ryland Esquire
Endorsed
20th June 1808

From Mr Richardson in answer to the letter announcing the removal of certain persons engaged in publishing the *Canadien*

FROM JAMES MADISON TO D M ERSKINE

Department of State
June 29th 1808

Sir

Your Letter of the 21st Inst on the Subject of the detention by the Collector of Niagara of certain Boats belonging to Canadian Merchants engaged in the Indian Trade was duly received and communicated without delay to the Secretary of the Treasury on his return to this City The inclosed Copy of his instructions (*) to the Collector will explain the Interposition which has been thought best adapted to the Case under the imperfect knowledge yet obtained of the Circumstances. I will make no other addition to it therefore than merely to observe that if as the Agents of the Montreal Merchants seem to be aware a Law of the United States was violated without any other Plea except that of Ignorance the Tone of their Complaint ought to have been very different and that a resort to the Justice of the Government of the United States, in all Cases to which it is applicable will always be found by the Officers of His Britannic Majesty the most efficient as well as the most suitable Course for their adoption

FROM D M ERSKINE TO FRANCIS GORE

Philadelphia July 4th 1808

Sir

I had the Honor to receive your Letter of the 26th of May with its several Inclosures respecting the seizure & Deten

tion by the Collector of Niagara of certain Boats belonging to the Merchants in Canada engaged in the Trade with the Indians.

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* These Instructions order the Boats to be released by the Collector who is to take Security for the Goods to abide the Decision &c

The inclosed Letter will explain the Result of my Application to the Government of the United States upon the Subject & Mr Nicholl is the bearer of the Instructions (refer'd to in Mr Madison's Letter) which have been given by the Secretary of the Treasury to the Collector at Niagara upon the Occasion

And I have forwarded to Sir James Craig Copies of the Correspondence which has passed upon the Subject between the Government & myself which I have not put under a flying Seal for fear you might not happen to be at the Seat of Government but request the favor of you to open them & after having read them to transmit them to Sir James Craig the Governor in Chief by the earliest Conveyance

(Sundries U C 1808)

Signs of unrest and discontent among the Six Nations in Upper Canada and the United States were apparent and did not fail to cause considerable anxiety

FROM WILLIAM CLAUS TO PRIDEAUX SELBY

Fort George 10th August 1808

Sir

A vast number of Indians are at this Post just now upwards of one hundred & sixty several from the Grand River who complain of the great distress they are in for Bread those who I find are in real want and not through Idleness or their having sold their Corn I will give them a little relief it will not be Long before the Corn will be fit to use consequently Less flour will be given them than otherwise — The others from Buffaloe Creek and that Neighborhood I met them this day when they Declared very Publicly that the statement made by their Interpreter respecting the war Belt being given to them by me was unjust and Denyed that they ever told the Interpreter or the Agent Mr Granger any such thing — That in their Council Last spring they shewed the Belt which I gave them on the differences between the Grand River Indians being made up which Belt was to cover all past Animosity They then told me that they had come to a Determination to sit quiet in case of any quarrel between the King and America and not to spill the Blood of the white men and that their Friendship for the King was firm — I merely returned them the usual compliment and said very Little more to them to shew them that I was not pleased with their Conduct — The Missisagoes are also here to the Number of 51 they are very inquisitive about the additional Payment for the Land they sold three years ago on the subject of which I would be glad to hear

The Requisition for the post has not been completed and what with those things sent to Amherstburg Last fall and the great Demand on the Store of *This Post* for the payment of *all* public Service performed by Indians will reduce Our Annual presents very considerably indeed.

I am Sir &c.

W Claus

P Selby Esquire
&c. &c

(Claus Papers, Vol 9, pp 239 240)

The following letter which is unsigned but initialled by the Governor General for transmission to the Colonial Office was probably written by John Norton who had acquired great influence among the Six Nations of the Grand River

Grand River 10th August 1808

Dear Sir,

Your intention to attempt the civilization of the Tribes within the British Limits as also the present appearance of the disposition of the Americans which indicate that it is not improbable for a rupture to take place between them and the British Empire induce me to give some Ideas of our situation it striking me forcibly that either to civilize the Tribes, or to hold them in a situation ready to give assistance to the British Government it is necessary that their settlements should be more compact than they are at present

The intention of the Americans towards the Tribes is sufficiently clear the annuities they allow them for the lands they have usurped are intended to sooth them and retain them within their power The Senecas or Oudowages who are the most numerous branch of the five Nations are detained within their Limits by this measure an annuity arising from the Lands they have relinquished amounting to somehting more than 6000 Dollars is paid the Nation which divided gives 3 Dollars to each person several of the Principal Chiefs receive annually from 100 to 300 Dollars thus Interest retains them contrary to their affections for I feel assured that they are more sincerely attached to the British and to their Brethren here than they are to the Americans The Ondowages and Cayugas received annuities for their lands 2 500 Dollars each Nation these have suffered a considerable Diminution this year through the medium of those of the Nation who remain within the American Bound

ary but whether at their instigation or not I cannot pretend to say

As the Tribes are under the protection of the British Government and the Annuities are more than a just debt would it be improper for His Majesty to interfere and issue the payment of them to the Tribes should they remove within the Limits of his government or should a War take place and they espouse his cause The whole amount of this which is the only support of the American influence with the five Nations falls short of 12 000 Dollars Yearly a sum not at all to be compared to the great Expense of the Indian Department The sale of a few Townships of land made by Government in this Country might raise a sufficient sum to create such an annuity

After breaking the bands of American influence the next thing to be effected is to collect the Five Nations in One Settlement either on the Grand River or to the Westward of the River Thames towards the Shores of Lake Huron in the first situation they would be more under the eye of Government, in the latter more conveniently situated to serve them in negociations with the Western Tribes. and less exposed to be contaminated by the vices of those kind of people that are continually crowding into New Settlements 1200 Men collected into one settlement might be more relied on in time of War than scattered Divisions and would require little more trouble to improve and Civilize than a settlement of a much smaller number

I have heard it remarked that something has been said at York respecting the utility it would be of to the Country to have the five Nations removed from the Grand River to a more westerly situation but I am glad to hear also that His Excellency the Lt Governor observed he would do nothing in it unless it should be proposed by the Five Nations themselves.

As this subject has been stated I shall give you my private opinion on it The grant of General Haldimand is so long and narrow and the settlements so new as that it is impossible for us to keep liquor from among us unless when the people have resolution to refrain from drinking The people would be more distant from the Americans consequently less liable to be corrupted by their Intrigues More approximate to the Chippawas Ottawas Poutawattomies. Shawanoes Wyndots Miamis and others from the Southward that might be collected between the Lakes and the Mississippi as I have already mentioned in a Letter to Mr W

On the other hand as the Grand River lands are of such higher value from their situation than any we could receive

on Lake Huron (lands not equal in fertility for five miles from us selling now for five and six dollars an acre) it would be neither reasonable nor just to obtain them from the five Nations and grant them away to others neither would it be to the advantage of the Country The Government should first take a view of the whole and provide that none of the Industrious be injured by the change by giving individual grants to every Family or Man that had made any improvement according to the extent of their improvements then the sale of the remainder to be made under the inspection of Government and after securing annuities superior to those paid by the Americans with the remainder purchase a tract from the Chippawas on Lake Huron such as might be chosen by the Five Nations convincing them in the whole proceeding that the Grant of General Haldimand was not violated but changed to remedy the difficulties it had been involved in

As the lands on Lake Huron from their situation are not likely to be wanted by Government this Century the same extent should be given to the Five Nations as General Haldimand granted only in a different form instead of 120 by 12 let it be 50 by 30 a Mission might there be established for giving Religious Instruction and a Seminary formed to instruct the Youth in Agriculture and Letters.

For the encouragement of industry a Trader should be placed on our settlement with useful Articles such as Blankets woollens, cottons iron cutlery and ammunition with these to purchase Wheat and Pork as well as skins the money of the Five Nations placed in the bank by the Agents of Government might in this manner be turned to the Support of Industry those cultivators of known industry and economy might be allowed to borrow of the public to half the amount of the property they possess in improvements cattle &c or mortgaging the same for the payment to pay annually the interest and so much of the principal as to discharge the whole in twenty years or sooner should he who borrows see fit

Many are the obstructions and clogs to industry existing in the customs of the Five Nations more than in any constitutional Indolence I know it because I have felt the inconvenience myself but if we can make a good road I feel assured that there will be some to walk on it and time may at last effect the desirable change

The Mohawks are improving rapidly there are several so much agriculturists as to raise three or four hundred bushels of Wheat in the Year those who suppose that the being farmers will debilitate them from being Hunters are mistaken The most industrious at the plough generally shew themselves the most persevering at the chase when in Winter they throw aside the hoe and take up the gun

I wish you to understand this not as proposal from me but rather as the most equitable and justifiable method to be taken by Government should the supposed good of the Colony induce them to desire any further relinquishment of the claims of the Five Nations and should such a change take place the tract of land given in exchange should be sufficiently capacious to assemble therein all the Tribes of Upper Canada Their being collected in a body would be more for the good of the Empire in case of a War and a teacher with little more exertion would be in a situation of aiding the cause of religion much more extensively as a fowler who fires at a great flock of Pigeons has a chance of killing many more than if he had shot at a few

The influence of Government might also be maintained among them by a resident on the spot much more effectually than it can be by a Superintendent General at the distance of some 100 Miles, frequently unacquainted with the Tribes they superintend

The great expence the Government is at in sending out goods and employing Store Keepers and Clerks might be rendered unnecessary by furnishing an annuity in the manner I have already explain to counterpoise that given by the Americans and a respectable trader appointed by your intended society would furnish the necessary Merchandise according to the varied wants of the Individuals Only in case of War the Arms Ammunition and clothing wanting for those who embodied themselves to serve might be furnished by Government

The situation of the British in this Country is at present very similar to that of the French at a former Period The great disparity of the force of this Province to that of the United States & its inland situation renders an alliance necessary and except the Senecas whose Character Mr T does not seem to be acquainted with the Aborigines are natural Allies from their antipathy to the Americans and Affection to His Majesty The French to secure more effectually the services of the Tribes always used their utmost endeavours to have their settlements compact which they effected in the Neighbourhood of Detroit on the Wabache & near Montreal The latter consisting of the Catholic Mohawks and a few Radonodacks are at present the only remains of this management in three Villages not very distant from each other there is upwards of six hundred Warriors.

In the present situation of things this Province is much exposed to any sudden attack of the Americans particularly should they commence hostilities at a season when assistance could not be readily obtained from Europe and to keep up constantly a Military Establishment adequate to the defence of so extensive a Province the expense would be enormous.

To remedy this inconvenience a Military Settlement might be formed on some Townships of the Crown lands, composed of a few thousand Veterans, who would receive their lands on condition of holding themselves in readiness at the call of Government to serve in Defence of the Country Although as strangers they might at first find difficulties in settling a country so different from their own yet with a little well administered assistance at the commencement and giving proper encouragement to some loyal Americans to mix with them they might soon obtain a comfortable living

Such a well disciplined Militia together with our Tribes. & the loyal part of the Militia of the Province might form a sufficient Army of defence for any sudden emergency

J H C

— Early in the year 1808 the Public School for the District of Niagara otherwise sometimes known as the Niagara Grammar School in accordance with the terms of the public school act of 1807 was established in the town of Niagara The trustees nominated by the Lieutenant Governor were Hon Robert Hamilton Thomas Clark William Dickson Robert Kerr Thomas Cummings James Muirhead and John Symington The Reverend John Burns, the resident minister of the Presbyterian churches in Niagara and Stamford was appointed teacher by them The sum of £100 was allotted from the provincial treasury toward the maintenance of each district school

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FROM ROBERT HAMILTON TO WILLIAM HALTON

Queenston Aug 28 1808

Sir

The trustees for the public School at Niagara having rectified the Certificate for the Master's Salary I have now the honor to return that paper to you I have in their Name to request that you will have the Goodness to place it where it may be effecient

(Sundries U C 1808)

Having been exiled from France the distinguished General Moreau had lived quietly in the United States for several years. Popular rumour stated that in the event of a war with Great

Britain he would be offered the command of an army for the invasion of Canada This statement led to his unauthorized arrest while in Niagara after paying a visit to the falls

FROM HENRY PROCTER TO COLONEL AENEAS SHAW

Fort George 15th September 1808

Sir

I have the honor to acknowledge your Letter of the 1st September which indisposition has prevented my doing sooner In answer I have to acquaint you for the information of His Excellency the Lieut Governor that the French General Moreau was neither apprehended nor liberated by me he arrived at the Inn at Newark on the Evening of the 27th Ultimo where he remained to the best of my information until the Morning of the 28th when I saw him and informed him that not having the Sanction of His Excellency the Lieut Governor he could not remain in the Province he then acquainted me of his intention to leave the Province immediately by the same route he had entered it which I understand he did without loss of time On my having asked him if he had any Passport he acquainted me that he had sent from Buffaloe to the Magistrate at Fort Erie to know if there was any objection to his entering the Province whose answer was that he knew of none. General Moreau I understand was apprehended and liberated by Colonel Clinch not having any Authority to interrogate him or others concerned I must beg leave to refer you to him for the particulars of the General's Apprehension &c

(Sundries U C 1808)

Captain Cowan whose death is recorded in the next letter had served in the Royal Navy for four years and afterwards commanded a ship for twenty eight years on Lake Erie in the provincial marine He was one of the members for the county of Essex in the fourth provincial parliament from 1804 until 1808 and owned a farm near Fort Erie where he operated for some time the international ferry to Black Rock

FROM HENRY PROCTER TO WILLIAM HALTON

Fort George
September 25 1808

Sir

I am sorry to inform you of the Death of David Cowan Esqr Commander of His Majesty's Snow Camden which occurred on the 24th Instant at Fort Erie

I beg leave to say that this is not the first Occasion I have had to regret the Want of medical skill at Fort Erie

(Sundries U C. 1808)

The supply of the troops in garrison and other military departments created a considerable demand for fresh provisions and flour which was usually supplied by local contractors.

FROM JOHN MCGILL TO FRANCIS GORE

York 15th October 1808

Sir

In obedience to your Excellency's order of the 16th August 1808 I have the honor to Report that I have agreed for a Supply of Fresh Beef which is to be furnished to the Troops and Military Departments in Upper Canada by the quarter during the undermentioned periods and at the prices stated after each Post vizt

Fort George—David Secord from 25th September to the 31st December 1808 at Two pence half penny pr pound and from 1st January to 24th March 1809 at three pence Halifax Currency pr pound

Chippawa & Fort Erie—Samuel Street Junr from 10th October to 31st December 1808 at One pound two shillings and six pence Halifax Currency for every One hundred pounds of Beef

(Sundries U C. 1808)

Another visit by the Lieut Governor to Niagara at the end of this month was briefly recorded in the *Upper Canada Gazette* of October 22

"On the 17th instant his Excellency the Lieut Governor and Major Halton sailed for Niagara in the *Toronto Yacht* It was His Excellency's intention to have gone there on Monday last He embarked for the purpose and received an honorary salute from the Garrison Excessive gales and a succession of head winds delayed his proceeding until Thursday morning

His return in the same ship on November 6 was subsequently reported

The great delay of the United States government in investigating the complaints of the proprietors of the boats which had been irregularly seized by the collector of Fort Niagara provoked another forcible petition from them probably prepared by the Hon John Richardson then a member of the Executive Council of Lower Canada

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of the Bath Captain General and Governor in Chief in and over the Province of Lower Canada Upper Canada Nova Scotia New Brunswick and their several dependencies Vice Admiral of the same General and Commander of all His Majesty's Forces in the said Provinces and their several dependencies and in the Island of Newfoundland &c &c &c

The Memorial of the Merchants of Montreal carrying on Trade to Michilimackinac and the Indian Country within the Territory of the United States.

Most respectfully Sheweth

That it is with great regret they find themselves under the necessity of again troubling your Excellency with their complaints against Officers of the Government of the United States but the necessity arises from the outrage committed and before complained of being still unredressed

That the subject may be fully before your Excellency without reference to their former Memorial they take the liberty of again stating the facts with such observations thereon as circumstances so extraordinary suggest

The case stands thus — The Company trading from Montreal under the Firm of the Michilimackinac Company who are Subjects of His Majesty dispatched early in May last from La Chine a number of Batteaux or Boats laden with Merchandise intended eventually for Trade to the Indian Country and which were ordered to proceed and were proceeding by the accustomed route (being that uniformly practised since the cession of the Posts by the Treaty of 1794) up the River Saint Lawrence and round the Lakes to the *Island of St Josephs* a British Post (without an idea of intermediate Trade) at which Post they were to be met by the Agents of the Company (who went up by the Ottawa River) and there to receive instructions respecting their ulterior destination a considerable time previous to the departure of those Boats a mission was sent to Washington under the Sanction of your Excellency to ascertain through His Majesty's Ministers there whether it was the intention of the American Government to continue to act upon the permanent part of the Treaty of 1794 as to the Admission of British Subjects to participate in the *Indian Trade within their Territory* or to consider it at an end as upon such ascertainment the Agents of the Company at Saint Josephs were to regulate their further proceedings after the arrival of the said Boats at that British Post at the departure of these Boats from LaChine the answer from Washington was not received

The object of such ascertainment had no relation to the *navigation by the usual route round the Lakes* such being considered common right unquestionably secured by Treaty and foreign to that respecting Trade within American Territory Accordingly the Boats proceeded onwards in full faith and confidence that whatsoever might be the determination of the American Government respecting the said Indian Trade the common use of the waters along the internal communication dividing the two Countries would still be held sacred

Those Boats went forward as usual without interruption untill the 21st day of May last when the first division of them arrived at the entrance of Niagara River from Lake Ontario where there are *British* and *American Garrisons* nearly opposite to each other In the middle waters of that River or even nearer to the *former* than the *latter Garrison* the Boats were fired upon with Musket Ball by a party of Soldiers in a Boat dispatched from the American Fort when Two with their Cargoes were forcibly seized and carried back to the American Garrison and three got over the British side after the Crews had narrowly escaped death for so near were they to the British side when fired upon and so marked the Hostility of the procedure that some of the Balls fired reached the Land on that side

Those who committed this outrage having learnt that other Boats belonging to the same Company were following along Lake Ontario a Boat with Soldiers was dispatched from the American Fort to intercept them and succeeded in forcibly seizing six more in the open Lake making in all Eight Boats the whole of which with their Cargoes have been since unjustly detained in direct violation of the Treaty of 1794 and to the great injury and heavy loss of the same Michilimackinac Company

Not satisfied with this signal outrage upon the Stipulations of that Treaty an American Boat with Soldiers proceeded to a much greater distance along the Lake to seize also nine other Boats still further behind and actually pursued them above Thirty miles but in that superlatively aggravated intention they were happily foiled as those Nine boats had received intimation of what had passed by one dispatched from the British side which occasioned their return to Kingston from whence they proceeded round by the North side of Lake Ontario after a great number of the Men had in consequence of this violent attack deserted who were replaced by others hired and sent up from Montreal at a heavy expense

Application in consequence of the Outrage and Seizure was under the Sanction of your Excellency made by His

Majesty's Ministers to the Government of the United States for reparation and an order thereon was issued by the Secretary of the American Treasury to restore the Boats and property so seized but upon condition of giving Bond in double the value to abide by the decision of the American Courts and requiring other preliminaries which could not be agreed to by the Memorialists without acknowledging American Jurisdiction in a question foreign to it and thereby abandoning the strong ground whereon they stand as British Subjects pursuing their lawful business under common rights of free Navigation solemnly secured by the Treaty of 1794 (whereby the Post of Niagara from whence the said Outrage was committed was delivered up to the States) and especially the Third Article of that Treaty

Their property therefore remains detained in custody of the Customs House Officer of the United States at Niagara upon the pretext of awaiting a decision in their Courts to the Competency of which the Memorialists object and maintain that the question is alone determinable by the Government of the Two Countries as involving matter of serious National insult as well as infringement of private British rights founded upon National compact

In support of this view of the subject the Memorialists have to observe to your Excellency that by the 3d permanent Article of the Treaty of 1794 His Majesty's subjects and the Citizens of the United States have common and equal rights to the free navigation of the waters where the seizure was made which being the result of a joint stipulation no impediment to such free navigation can be legally interposed by any Legislative Act or proceeding of any Officer of One of the contracting parties, to affect the rights of the subjects of the *other* party without the previous consent of their Sovereign Upon this principle the Michilimackinac Company contend that neither the American Embargo non Importation or any other act of the States can govern the present case or controul or regulate the rights of Navigation stipulated by the said Treaty

That the requirement of British Boats when coasting the Lakes from One British Post to another to report or make entry at American Custom Houses (when there is no intention of Trade) would amount to a controul regulation and impediment of the Lake Navigation to the destruction of its freedom and wholly foreign to the intention of the contracting parties as will be seen by reference to the Treaty which Specially Stipulates for allowing regulation to the exercise of River Navigation in small vessels between Montreal and Quebec and for the free passage of goods across Portages, in order to prevent

Islands but authorizes no other regulation whatsoever Consequently if a Special provision was needful to authorize regulation in respect to such rights as were to be exercised within the Acknowledged exclusive Territory and jurisdiction of one party how much more necessary would special Stipulation have been to authorize either party by its separate act to regulate objects common to both such as particularly is the navigation of Waters dividing their respective Territories

The Memorialists have understood that the Custom House Officer who directed the seizure of the Boats pretends to justify himself upon the ground that the Boats could not have coasted the Lake without touching the Land although he neither had nor could have a knowledge whether such was the fact but this is a mere subterfuge for the right of Lake Navigation common to both Nations necessarily implies its being exercised in a way practicable to the Vessel Navigating whether *Decked* or *Open* If the *former* she must sometime anchor when the wind is contrary and if the *latter* stop on the beach without any infringement in point of good faith when there is no purpose of trade or any object Stopping beyond the necessity of waiting for wind weather or daylight to resume the voyage

Such a quibble would render the object of the contracting parties a mere nullity and were a common highway the boundary between two adjoining Nations as well might it be agreed that the fair use of a resting place on either side occasionally to relieve a weary Traveller would be prohibited in the exercise of the right of free passage

The outrage complained of involves two distinct points of consideration One affecting the National dignity by the insult offered thereto in sight of a British Garrison and in waters of common right by the marked Hostility of firing upon His Majesty's Subjects when defenceless by Armed Soldiers of the United States The other an attack upon the rights and property of British Subjects whereby they have sustained great pecuniary loss and damage requiring indemnity

As to the first point the Memorialists consider that it would be presumptuous in them to suggest the quantum or kind of redress fit to be insisted upon Such remains with His Majesty's Ministers but they cannot avoid observing that it is not a little extraordinary that those who are so clamorous for general free Navigtion in cases authorized neither by the Law or practice of Nations should themselves so arrogantly violate the rights of free Lake Navigation when specially secured by a compact to which they are a party and that those who were so irritable in the case of the Chesapeak when a provocation not to be borne was previously given by them should so unfeelingly fir without any notice upon unarmed men who never afforded them even to shadow of pretence for so doing

As to the Second point Viz The heavy loss and damage sustained by the seizure of their property a Statement of which is annexed the Memorialists entreat that your Excellency will be pleased to lay the same before His Majesty's Minister that a full pecuniary indemnity to them for the injury in all its consequences may be demanded and obtained from the Government of the United States.

Such cannot be less than £20 000 exclusive of the actual cost and charges of the goods and absolute disbursements in various ways made respecting the same making in the whole the sum of £26842 5 6 Sterling The said sum will be found moderate when it is considered that the value of the year's Outfit for the Trade exceeds £20 000 The plans for which were not only deranged by the Seizure of goods forming a necessary part of the assortment but the discouragement of the Partners Clerks and Men of the Concern who winter among the Indians has thereby been such as to create a despair of success and consequently will produce a diminution of exertion when they see so evident a proof of a plan to render it unavailing

The above however are not the only grievances respecting the United States of which the Memorialists have had to complain in common with other British Subjects within the American Territory for they have long suffered under the requirement of passes extortion in duties and vexations in various ways which the Treaty according to its fair intent and meaning does not authorise as what can be more evasive oppressive and preposterous than the American mode of exacting the duties on goods carried by British Subjects from Canada into the American Territory upon a *scale of calculation* that in its *principles* might in some cases subject them to the payment of nearly double duty and in no case on articles rated ad valorem does it amount to less than an eighth part more duty than is paid on the like articles by an American at an Atlantic Port

Surely such could never be the meaning of a Stipulation about duties made for the very purpose of assuming an equality in that respect to Indian Traders whether British or American wherever they might come into contact

The Memorialists have for some time seen progressing with extreme concern a systematic plan to drive the British Indian Traders from the American Territory by every species of vexation and they must soon succeed if His Majesty's Government does not take up their cause with decision for it was with feelings of a very unpleasant kind that they found the

Negociators with America appointed under the late Ministry postpone the discussion of their grievances (although fully represented) to an indefinite period without any Stipulation for the cessation of those fiscal extortions under which they were and are in the meantime suffering.

The Memorialists therefore take the liberty of impressing upon your Excellency's attention for the information of His Majesty's Ministers the following consideration. That the Indian Trade within the American limits must speedily be abandoned by British Subjects if not protected against interruptions of free Navigation of the Lakes, Fiscal extortions and various vexations. That if once abandoned it can never be regained, and with its abandonment will finish British influence with the Indian Nations residing without the limits of Canada. That British Traders have materially aided in preserving that influence hitherto, the conviction of which is the strong motive with the American Government for wishing by every means they can devise to exclude such Traders.

If therefore the minds of His Majesty's Ministers shall be made up to the loss of that portion of Indian Trade carried on within the American Territory (which indeed is nearly the whole excepting the North West) and to the extinction of influence among the Indian Tribes as above said, then in such case it will only be necessary to obtain reimbursement to British Traders of past fiscal extortions and indemnity for the losses and damages consequent upon the late seizure of the property of the Michilimackinac Company, as also a consideration for the abandonment of their establishment in the Indian Country. But if His Majesty's Government shall consider such Trade and influence as fit to be preserved, that can only be done by obtaining reimbursement and indemnity forthwith in respect to the past, and assurance of exemption from impositions and vexations in future. And further the Memorialists are of opinion that if British Traders do not obtain the right of going to the West side of the Mississippi to trade as heretofore (the exclusion from which the Americans are now about rigidly enforcing upon pretext of that Country not being comprehended in the Treaty of 1794) they must in any event soon abandon the Trade to the east of the Mississippi as an object not worth pursuing.

The Memorialists consider it proper to add that they are able to substantiate the various facts herein set forth. They therefore most respectfully entreat Your Excellency to lay their complaints and observations before His Majesty's Ministers, that such measures may be adopted as in their wisdom shall seem meet for obtaining the needful redress in the premises, and they were ever pray &c

Montreal 20th October 1808

FORSYTH RICHARDSON & CO
M TAVISH MCGILLIVRAY & CO
JAMES & AND MCGILL & CO
PARKER GERRARD OGILVY & CO

Estimate of the Loading of Eight Batteaux or Boats the property of the Michilimackinac Company seized on the Waters of Lake Ontario and in the Entrance of Niagara River by John Lees Collector of the American Custom of the Port of Niagara on the 21st May 1808 with the various Expences and Damages incurred in consequence of said Seizure

Prime Cost and Charges at Montreal of the goods	5218 11 5
The Expence of these Boats including Men s wages, provisions &c	828 6
Expences incurred by desertion of Men in consequence of the seizure Mens Wages to replace the Deserters provisions	570 13 7
Expences incurred by Messrs. Michaels & Nichols on their mission to Washington & Mr Bleakleys to Niagara	225
Injury sustained by the Seizure in derangement of the Trade &c &c Our Business was at a Stand for a considerable time not knowing whether the rest of the Boats might not meet the same fate the progress of our Affairs was thereby arrested at St Joseph and the whole of our Goods to make out our Outfit eventually disassorted which were in consequence made very deficient and incomplete more particularly with respect to Guns Gunpowder and Blankets Articles indispensable in our Trade from this circumstance results many doubts in the minds of the people in general and particularly the Indians with respect to our rights within the American Jurisdiction which threw a damp on our Credit in the Country and may lead to the most injurious consequences	20 000
Sterling	£26 842 5 4

Montreal 20th October 1808

FORSYTH RICHARDSON & CO.
M TAVISH MCGILLIVRAY & CO.
JAMES & AND MCGILL & CO
PARKER GERRARD OGILVY & CO

(Endorsed —

Memorial of Merchants at Montreal 1808)

It was accompanied by the following letter addressed to the governor general's private secretary

Montreal 15th December 1808

Dear Sir —

The propositions before Congress for non intercourse will if carried into a Law so seriously affect the interests of the Michilimackinac company who have a very large property now within the American Territory in the Indian Country and the nature of *whose Trade* requires expensive preparations to be made during the winter for *that* of next season that it is of essential importance to them to ascertain with as little delay as possible whether the non intercourse is intended to do away the permanent part of the Treaty of 1794 or if there is to be a special exception in regard to the Indian Trade carried on by British Subjects from Canada as was the case in the existing non importation and embargo Acts —

I am therefore directed by that Company to request you will have the goodness to communicate to His Excellency the Governor in Chief their intentions of sending to Washington a person with a Letter to His Majesty's Minister there for the purpose of soliciting his aid to ascertain the intended operation upon Indian Trade from Canada of the said propositions

They most respectfully entreat His Excellency that he will be pleased to recommend to Mr Erskine the obtaining the information in question as involving momentous consequences to the property and interests of many British Subjects

The person intended to be sent to Washington will remain for Mr Erskine's answer and will be one in whom every confidence may be reposed as to safe delivery of any despatch which His Excellency the Governor in Chief may see fit to send as also to bring safely back any dispatch which may be confided to him but will not possess sufficient understanding to be entrusted with personal communications being only a faithful servant who is acquainted with the route and mode of travelling in the States

He will pass through New York and could leave with His Majesty's Consul there any dispatches or letters intended for England by the Packet —

I have therefore very respectfully to request His Excellency that such dispatches as he may be pleased to send for that conveyance be transmitted to me as early as his convenience will allow of —

I am with respect and regard

Dear Sir
Your most Obedient and Humble
Servant

JOHN RICHARDSON on behalf
of the Michilimac Co.

Herman W Ryland Esquire
Endorsed
15th Dec 1808

From Mr Richardson

—

The writer of the following letter was for many years one of the principal merchants of Niagara and its first post master a justice of the peace and commissioner of highways

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 29 Decr 1808

Dear Sir —

It is rumoured here that Government are about to dispose of the Land at the sixteen Mile Creek in this District (containing the salt springs) upon certain terms

Being at present out of business and of a disposition for exploring I am vain enough to imagine that in the possession of them they would be of greater benefit to the public than they are at present

At the same time far be it that I should in the most remote degree Aim at the rights of others.

A Line from you on the above subject will greatly oblige

(Sundries U C. 1808)

James Crooks was another energetic merchant who was one of the first if not the very first of the persons who shipped flour to Lower Canada He had lately married Jane eldest daughter of Thomas Cummings of Chippawa who was engaged in the same business The right of developing water power above Niagara Falls had been the subject of many previous applications

FROM JAMES CROOKS TO WILLIAM HALTON

Niagara 16th March 1809

Sir

When at York a short time ago I had the honor of sub mitting to the consideration of His Excellency the Lieut. Governor the Petition which I now beg leave to inclose the prayer of which is to solicit a Grant of some small Islands in the River Niagara, nearly Opposite to the Bridgewater Mills, with the view to the erection of similar ones and other Machinery, of which this flourishing part of the Province placed under His Excellency's care stands greatly in need of —

I owe an apology for obtruding again upon His Excellency's most precious time, after the answer he was pleased to make, that he could not Grant Islands, but the importance of the Application as well to myself as to the Country impels me in the hope that His Excellency, viewing it in relation to the latter, may be pleased to point out the channel thro' which application should be made. And by giving his sanction, promote it.

Should his Excellency be pleased to give to this application any of his attention you will by communicating confer a favor on

Sir

Your most Obedient &c

Jas. Crooks.

(Sundries U. C. 1809.)

John Warren, who had entered the army as a drummer boy, had been assistant commissary general at Fort Erie for about thirty years and when it was created a port of entry, he was appointed collector of customs and inspector of flour and pot and pearl ashes. He retained the former office until his death. He was named as a magistrate in the first commission of the peace and commanded the third regiment of Lincoln militia for many years.

From John Warren to William Halton

Fort Erie 6th April 1809

Sir

His Excellency the late Lieutenant Governor was pleased to grant me the appointment of Inspector of Flour and Pot and Pearl Ashes for the District of Niagara; my advanced Age renders me incompetent to the Duty. I therefore beg leave to submit to His Excellency Lieutenant Governor Gore the propriety of my resigning said appointment, humbly requesting his permission to do so. It is not for me to presume to recommend any Person for the appointment, yet I humbly beg leave to say I do not know any Person more fit than Mr. John Muirhead of Chippawa, nor should I even have attempted to mention him were it not that His Excellency's goodness might induce him to think that I might wish it for one of my Sons, which I realy do not nor would the appointment suit them —

(Sundries U C 1809)

The imposition of fine upon indigent offenders some times was attended by awkward consequences and required the intervention of the magistrates to obtain a remission of the sentence

PETITION OF MAGISTRATES OF NIAGARA

To His Excellency Francis Gore Esquire Lieutenant Governor of the Province of Upper Canada &c &c &c

The Respectful representation of the undersigned being Justices of the Peace in and for the district of Niagara

Humbly Sheweth

That at the last General Quarter Sessions of the Peace held at Niagara in the month of April now last past certain men named John Shaw James Conway Elisha Bundy Cornelius Barns J V Lambert James Harris and William Ingram were indicted and convicted of an Assault and false imprisonment on the person of one Zach Harvey a Citizen of the United States

That the judgment of the Court was that each of them should pay a fine to the King of Ten Pounds Currency besides an Imprisonment of two months in the Common Gaol

That the term of their Imprisonment is nearly expired but they are totally incompetent to pay the respective fines imposed upon them and that without Your Excellency's benign interposition they must suffer a perpetual imprisonment

The Justices aforesaid have further to represent to your Excellency that from Circumstances that have since come to their knowledge had these been known at the time the Fines would not have been imposed or at least greatly lessened —

Wherefore the undersigned Justices respectfully request your Excellency would remit the aforesaid Fines as Imposed on each —

SAML STREET J P
ROBERT KERR J P   ROBT ADDISON J P
THOMAS DICKSON J P   J BALL J P
THOMAS CLARK J P   J MUIRHEAD J P
JOHN BALL J P

Niagara 5th June 1809

(Sundries U C 1809)

Since the organization of the province a considerable num ber of Mennonists and Tunkers, mainly Germans from Pennsylvania had come in and settled for whose encouragement an act had been passed in 1793 by the provincial parliament exempting them from service in the militia on certain conditions Their sons were now becoming liable to enrollment on attaining the age of sixteen

THE PETITION OF MENNONISTS AND TUNKERS

To the Honorable the Speaker and Members of the House of Commons of Upper Canada in Parliament assembled

The Petition of the Society of people called Mennonists and Tunkers,

Humbley Sheweth

That by an Act of the Province passed in the thirty third year of His Majesty's reign Your Petitioners after producing a certificate from three or four respectable people one of whom must be a preacher in the Society to which they belong shall pay in time of peace Four Dollars a year and in time of invasion or insurrection Twenty Dollars a year for which favorable law and liberty of conscience we are thankful to God and the Government under which we live And whereas many of Our Sons now under age and incapable of judging in matters of conscience are not as yet actually considered as Church members, and cannot of course secure the necessary certificates we therefore humbly pray the same indulgence may be extended to them that is granted to ourselves, that is that they may be exempted from serving in the Militia by paying the commutation money until they arrive at the age of twenty one or until they be admitted as Church Members

And your Petitioners further pray that your Honorable Body will take into your consideration the many difficulties which poor people with large families have to labour under in new settlements and if you in your wisdom should deem meet to lessen the burden of our commutation money Your Petitioners as in duty bound shall ever pray

This petition which was read in the Legislative Assembly on the 10th February 1810 was signed by two preachers two elders and thirty five members of the Society of Mennonists and Tunkers who had become numerous in several townships of the Niagara district Another petition to the same effect read the same day bore thirty four signatures mostly in German script An act was accordingly passed during the session for the relief of minors of the Societies of Mennonists and Tunkers

The discontent existing among the Six Nations is shown in the following report from a veteran interpreter frequently known by the name of St John who had removed from the mouth of the Humber river to Ancaster where he had built a flour mill and in subsequent minutes of a council held with them

From J B Rousseau to William Claus

Ancaster March 1st 1809

Sir

I have taken the earliest opportunity to transmit to you (John Fraser) an exact Translation of a speech made in Council by the Six Nations of the Grand River held at the Onondaga Village relative to their land Affairs as well as respecting the White Settlers on the said River and within its vicinity — I met them in Council pursuant to your desire and also their request

They have proposed to send you their resolves made in Council in Writing (which is according to a report made to me by John Fraser) but should it not come to hand in due time you can depend upon the reality of the inclosed Why I say so is because I have understood that since I left them they have either Added or altered their Minds in some respect

During the time of the foregoing part of the Council Harahogah and ten other others of the tribe (of Mohawks) including Doctor Aaron seemed to agree to the resolutions of their Brethren excepting when it came to the determination of Mr Jones's land which did not appear consonant to his & their opinion and in some consequence thereof they left the Council before the issue of the business was closed The different Nations met in Council were the following — Onondagas. Senecas — Lower Kayugas — and the great part of the upper Kayugas excepting the little Chief Kachanion — Tuskarorias — Oquagas — excepting Joseph and the Oneidas — A Tuskarora Indian has lately arrived from the United States and used his influence among them exorting them to leave off the use of spirituous liquors, his prevalence has had the desired effect for the present — how long they will remain in sobriety will be better known hereafter They have not appointed a number sufficient to transact their business which was according to request last fall but instead of following your desire have only nominated a few — which will more fully appear at their arrival at Fort George — with the translation of their Speech — for which purpose they are merely nominated to deliver the speech to you — its probable I shall be down about the time that the Indians deliver you their speech & if any difficulty should take place perhaps it may be in my power to explain it. The two Horons was detained at the Council place about one Day

I am Sir &c

J B ROUSSEAU

Wm Claus Esqr
Dy Supt General
Indian Affairs &c.

P S I attended Council for the space of five Days before their business came to a determination

(Claus Papers Vol 9 pp 259 260)

PROCEEDINGS OF A COUNCIL WITH THE SIX NATIONS

At a meeting held at Fort George — Council House — Friday 10th March 1809 — with the Chiefs and Warriors of the 6 Nations at the Gd River

After the D S G returned their Message (4 Strings of Wampum) & saluted them Old Paterson a Mohawk got up & spoke as follows.

Brother

I salute you in the Name of all the Nations from our place & desire you to listen to me you have many branches of business to attend but we have something now to communicate to you that comes from the bottom of our Hearts

When any business is to be done the Chiefs first assemble & consult & when the Chiefs find it of such a Nature that they can not settle it it is referred to the Warriors & should they not agree the Women take it up these customs are well known to you

Brother

When we first got acquainted with White people we had a person Peter to instruct us in our business after this Man your gd father Sir W Johnson came in his place he was our friend and when he gave us anything to drink he always told us to take it off from that   Name he was very kind to us & never let us want he gave us every thing in good humour he got acquainted with our customs & manners & told us he thought he would put us in a better way of doing our business his advice to us was to listen always to our Father the English King but that if we attended to the french that we would fall we saw his words were strong & told him we will attend to them it is a strait road & we shall certainly follow it & that we would always have some young men on the watch & if any

danger appeared he should know it & he promised to do the same by us & cautioned us against the white people who were making Settlements on the River & held us strong by the hand that none might break us loose from the King & said our Arms should be hung with silver that it might not take rust now

Brother

I have explained to you the whole of the early proceeding between your forefather & us it is our firm desire that we should walk in the same road all the Chiefs here present remember those transactions & we remember he gave us every assistance when we were disturbed on the River he used all his influence to keep us united & we hope his gd Son will do the same for us— we still remember that when he laid down his head that we would have some difficulty

Brother

the bad Birds still fly about to you & us We bury this & not listen to them

Old Clear Sky then addressed the Chiefs & Warriors & said after they consulted together on public business they according to their old custom communicated the result to the Kings fire & that our young Chief Blank will speak & we desire the Supt to listen

——spoke

Brother

You who have the charge of our affairs listen to us I speak as the Six Nations what I say now is their words and sentiments therefore listen attentively — we did not finish our business at the long House but have since here

Brother

The people our Brethren on the other side (Bufaloe Creek) have given up their claim to the Genl Council fire & it is kindled at the Gd River at the Onondaga village — the last business done here was much to your satisfaction you expressed yourself so it was so to us it united us in a great measure therefore it must have been gratifying to us but there still appears to us some difficulty which we will relate to you I am very sorry to inform you that notwithstanding all that the Chiefs have done that there is Something that affects us much & you also notwithstanding the Belt passed all round the Nations there is still something necessary —

Brethren (addressing the Indns)

Listen to me when at the Head of the Lake last fall the business was defered untill we met at the Long house as there was something yet that was not right

Brother

You then strongly recommended to us to consult together at our Council fire & try our utmost to come together & let you know you requested us by Wampum to strengthen ourselves & be one & we came together & agreed upon our public concerns & wished to appoint 15 or 20 principal men to transact the business for the whole of the Nations on the Gd River for these purposes we have used our utmost endeavours, but have been so unfortunate as not to succeed I regret to say that you see two parties before you but do not look on us as the aggressors we are the Chiefs & great men one thing is the cause of our misfortune Land if that was removed we might perhaps come together I wish you to comprehend me it is not the large party that makes this difficulty — we have come to lay the business before you & request you to assist us we have laid the business before you & call on you for your help & we think you may be the means of doing every thing for us that we can wish & we have also made up our mind to keep our lands it never was the king's intent on that we should part with them we do not want to throw them away what has been confirmed we have nothing more to say to & also some where there has been people settled for some time but there is others we wish to speak about those latter lands may be of some benefit to our rising generation

Brother

About 5 years ago we began to get some insight into our land business at the Council you held at the Grand River, at that time we came to an agreement that you should have the charge of our money we wish to have some Security for the property sold the King pays you & we wish you to continue the charge of our money & we request that the Governor would have the goodness to get us an acct of our money that is lodged in the Funds & the Interest arising therefrom Annually

Brother

We have been very foolish & parted with our lands, we have grown wiser the Land sold to Steadman it appears great difficultys have arisen if we can with justice we wish to have it returned to us

A tract of land on the Governor's road has been laid out as We are told for the payment of Surveys we know nothing about it & wish it to be withheld again there is another man at the head of the Chippewa (Canby) who has got land on the same road it will make us poor none of the Chiefs know any thing about either & lower down Mr Mallory has got a piece of land we know nothing about any of them A number of families who have settled on the road to Long Point (Mount pleasant) we receive no advantage whatever from them we wish that it may be leased for 20 years that we may get something for them & at the expiration to revert to us there is one man in particular And Nelles we wish your attention here also — The Lands for D Kon's child & Brant Johnson we wish to remain just as they were neither to strengthen nor to weaken them. there are some people on Fairchild's Creek who are settled there without our knowledge that Land on the road from the Head of the Lake given to Capt Brant we wish confirmed to Mrs Brant

Brother

I now go down the River there are some there in the same Situation without our knowledge by the Delaware Village there is a Tract of Land for a Surveyor of 4800 acres, we do not know any thing about it we wish it to be thrown into our Lands again this is Mr Aron & the lower Kayugas doing by the advice of Mr Phelps It has been the wish of some to divide the Lands & the line to cross by Mount pleasant this we never would consent to for many reasons, it would in the first place make a final division among us & again as we are living in the Heart of our Father's Country we ought to be as one in case of any trouble that we might give him all our assistance in his troubles with his Enemies.

Brother

Here he repeated the speech delivered them by the Govr on his arrival in the Country

Brother

We now request you to make him acquainted with our wish & that we may have a Deed for our Lands that remain as the white people are constantly throwing it up to us that we have no Land

NOTE With a View that they should get a Deed that they may Rob you of your Land — Three Names were mentioned John Thomas Wm Nellis

Brother

We now come to the loss we have met with in our Mill being burnt we remember the Govr who died at Quebec sent a man to look for a good place to build a Mill for us when the old Mills were burnt. Some years ago but he heard that Capt Brant was going to build a mill & he stoped we now in the Name of all the people on the Gr River ask our Father to Build us a Mill to grind flour & make bread as he did for us before we have also to ask of him to change the school master that we have as he will not attend to the Children & we wish to have a man to speak English

11th March the Chiefs assembled at the D S G s Quarters & after examining the plan of the Grand River & pointing out Several places that were occupied by people that they conceived had no right to settle on them finished by the Onondaga Chief laying his hand on a Spot of Land at the Mouth of Grand River & saying

Brother

The person who has been working for our benefit in our Land affairs for these 5 years we think we ought to give him something we therefore agree to let him have this Spot of Land at the Mouth of our River but we expect that he will always give us his advice & help us with our Lands and all other matters and where the Land is required he may be absent or Sick we expect that in that case he will find some body to do any thing that may be wanted by us

Fort George Council Room

March 13th 1809 Present

Col Procter Commanding
W Claus D S G.
Major Short 41st Regt
W Saunders Lt & Adjt 41st Regt
Alex Eager
Thos Barnard Ensign 41st Regt
David Price Benjn Fairchild
J B Rousseau Interpreters

Blind Paterson spoke

Brother

The Great Spirit has been pleased to let us meet this morning at Our Father s Council Fire to Speak in the presence of our Brothers the Officers of the Fort we return thanks to the Great Spirit & open your Ears that you may hear & and your Eyes that you may See

Brother

We met you here 3 days ago & talked over all our own old & early promises with our forefathers & yours & I will now repeat the Same in the presence of our Brethren the red Coats.

Here Paterson repeated what past on the 10th The young

Onondaga Chief then spoke

Brother

Listen we now have met to finish our business here we

---

1 William Dickson

have told you before all that we have been about at our Council at the long house we have spoke about our Lands & now agree that the Surveyor (Jones) may have half of the Land at the Govr s Road (600 acres) but no more

We have many difficulties among our other white people that are settled on our Lands they steal our Hogs work our Horses & we can get no redress & when we speak to them they throw it in our faces that we have no land & the upper part of the River we are told is not ours but belongs to the Chippawas this is very hard & we hope you will assist us the Lawyer who helped us so long we wish to have confirmed to him the Land we give him at the Mouth of the River & for which we expect he will always give us his advice in Land business & help when those people rob us of our Cattle upon these terms we give him the Land & we expect that he will give us in writing that assurance and that the D S G & the Comdg Officer will sign it

Brother

We have something more to mention to you a Lawyer (Mr Borthwick) came to us some time ago & asked us for payment of a Note of hand this some of our Chiefs Lent their Names to for W K Smith & told us we had better pay him quietly that if we did not he would put us in Gaol this hurts us much now Brother we hope Mr Dickson will help us in these matters with your assistance —

Old Clear Sky

Chiefs & Warriors — It is customary among us when any person has any concern with us to give him a Name that we may know him the person whom we have given some Land to for doing Land business for him we call four Eyes — by which we shall after this know him

W Claus D S G

(Claus Papers Vol 9 pp 263 279)

At the fall assizes a strong recommendation to mercy was made by the petit jury for one of the early settlers of Stamford who had been convicted of some unnamed offence It was supported by a petition signed by a number of the leading magistrates and many other respectable residents

RECOMMENDATION OF THE PETIT JURY

The King
vs
Silverthorn

The Petit Jury in finding a Verdict in this case are governed

by the evidence before them but being all of them personally acquainted with the Prisoner and some of them from his youth to this time beg leave to state to the Court that his demeanour thro' life has been peaceable with this one exception — That he is an honest man and has by his industry and frugality acquired a handsome property — He has a large family who are deeply interested in his fate The Jurors therefore separating his general conduct from the substance of the evidence given against him in this case beg leave to recommend him to the mercy of the Court —

S Street Jr
Abraham Bowman
Arch Thompson
Chas Willson
John Thompson
Ebenezer Skinner
Thos Cooper
Adam Bowman
Aaron Crane
John Knox
John Burch
Adam Hutt

Niagara Septemr 29th
1809

(Endorsed in Pencil Pardon)

THE PETITION OF MAGISTRATES AND OTHERS

To His Excellency Francis Gore Esquire Lieutenant Governor of The Province of Upper Canada &c &c &c

The Petition of the undersigned Magistrates and Inhabitants of the District of Niagara

Humbly sheweth

That most of your Petitioners were present at the Trial and conviction of John Silverthorn of the Township of Stamford at the Court of Oyer and Terminer last holden for the said District of Niagara.

That they were impressed with sentiments that such Trial and conviction was had upon the strongest Evidence under the most humane and tender Charge from the presiding Judge and that the convicted had the most fair and impartial Trial

That your Petitioners feel that the solemnity of his Trial and the exposition by the Court of the existing Laws must have impressed upon every hearer the aggravated Crime of which he stands convicted and cannot fail as effectually to restrain the Commission of a like Offence as if the sentence of the Law was carried into execution

That the unhappy Object of this Petition is one of the earliest Inhabitants of this Colony and his Character and conduct precedent to the act for which he has been convicted has been such as to approve him a firm adherent to His Majesty's Government and induce a ready obedience to the Laws of his country.

Therefore we his Majesty's most dutiful and loyal Subjects humbly beg leave to recommend to your Excellency the unhappy convict as an Object of His Majesty's regal mercy and compassion.

J. Muirhead
Robert Kerr
John Symington
Jas. Crooks
S. Hatt
Thos. Cummings
Robt. Nichol
John McEwen
William McKean
John J. Lefferty
Isaac Swayze
William J. Kerr
John Clark
James Secord
William Chisholm
A. Cameron
Geo. Hamilton
Thos. Clark
John McKerlie
Calvin Banister
William Robertson
James Racey
Thos. McCormick
Wm. Gilkison
James Cooper
John Reilly
Benjamin Corwin
Adam Spencer
Peter Wright
Jonathan Doan

Will Crooks
Amos Chapman
Jas. Coffin
Jno. Powell
T. Butler
(Illegible)

J. P. Ball
John Ball
Ralfe Clench
(Illegible)
John Muirhead
Johnson Butler
Alex. Stewart

A letter from George Hamilton to Charles Askin, dated at Queenston on the 19th December, 1808, announced the serious illness of his father, which eventually proved fatal, and his fears of an unwise third marriage, then apparently not improbable.

I have but a Moments time to answer your kind letter of the 5th Instant which I only received yesterday — I can easily forgive you for not writing to me as it was as much my fault as yours. I am sorry to say my Father has been confined to his bed for this Week past with a severe cold which settled in One of his knees & has given him such pain as to prevent him almost from sleeping or eating since — & Unfortonately to add to the evil the Doctors Mistook the complaint entirely were applying things that only made it worse however yesterday they found it out to be an Erisipulus or St Anthonys fire & have altered their plan the inflamation to day seems to have fallen into his ankle and I hope with a few more applications they will be able to drive it away entirely

I thought Lyons Marriage would surprise you and I agree with you that it was the best thing he could have done to add to his happiness he was a month ago blest with a fine thumping boy his very picture I have likewise to ask your congratulations on being advanced to the dignified station of an Uncle my Nephew is a fine little fellow & promises to be every bitt as crabbed as his father[1] — Your friends Mrs Conway & Smith have likewise been productive in the same way — Now for the Marriages James Crooks has been United to Miss Cummings[2] & William to One of the Miss Butlers[3] — Our friend Featherstons has also at last been favoured with the Husband of that fickle Nymph Miss Doan — that foolish fellow Gallipeace to a Child of 13 years Old & who has already twice left him at her Mothers instigation in order to draw Money from him to get her back — She has a third time gone off to Buffaloe Creek & he poor infatuated Devill has slipped after her with bag & baggage — you will say this is all very pleasant News but here follows some not quite so agreeable — & Will surprise you very Much Could you or anybody else ever conceive so unlikely a thing to happen as a Marriage between my Father & the Widow Forsythe[4] of all the weomen in the World but which I am afraid Will be the case — I had observed & was pleased to see that my father was fonder of visiting his friends in Niagara than usual thinking that the exercise would be of great Service to him & never suspecting the least what was going on untill it was whispered to me a fortnight ago that he was all this time busy in paying his addresses to the

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[1] This child was Robert Hamilton, the third of that name, (1808-1868) son of the second Robert Hamilton. [2] James Crooks and Jane Cummings, daughter of Thomas Cummings of Chippawa, were married on December 8. [3] William Crooks and Mary Butler were married on December 1. [4] The widow of George Forsyth, a merchant and magistrate at Niagara, who died in September 1806.

Widow — & I have since drawn out from Peter[1] that she One day when Peter was comeing up took & locked him up in her Room & desired him to tell his father that it was a fine day to take a Ride & that the next week would be a good time to settle their business. he immediately after this Message sett off in the Chair his sore leg has intervened since that & she yesterday came up in One of the Worst days you ever saw to see him & remains here still notwithstanding I have gott both the Doctors to speak to her & to tell her how very indelicate & improper it was for her to remain here at this time All his friends you may believe feel very indignant at the Idea of such a Match & have I believe talked him pretty severely about it, but I am afraid too late to do any good — He has never Mentioned the business to any of us, but if he does I will tell him what all his friends think of it whatever may be the consequences to myself as I cannot bear the idea of his making himself unhappy for ever without warning him of the consequences — I mention all this to you my Dear fellow as I know it will be as safe with you as with Myself — you Will take care in writing to me to inclose the letter to Wm[2] or Lyons[3] or anybody you may be writing to with directions to give to Myself — Your letter brought me the first news of your fathers accident & we were glad at the same time to hear of his recovery — My Father desires me to say that he cannot write at present but will by the first Oppy when he getts better — Pray have the goodness to answer this by the first Oppy that I may know it has come safe to hand — James has just come to take this down to the Post so I must conclude this long scrawl

(Askin Papers Dominion Archives)

A letter from William Robertson to Charles Askin written on the same day states that Robert Hamilton's condition was even then considered serious

Queenston Decr 19th 1808

Dear Charles

We are all happy to hear that your Father is so fast recovering the use of his arm — to a man of his years it was an unfortunate accident you ought not to allow him to go out in any carriage without one of you with him — his loss to the Family would be lamentable — I know well their affection to him

---

[1] Peter Hunter Hamilton seventh son of Hon. Robert Hamilton and half brother of George Hamilton [2] William Robertson a merchant at Queenston and a maternal half brother of George Hamilton. [3] Probably James Lyons, a clerk for Hon. Robert Hamilton

He will be very sorry to know that our good Friend Mr Hamilton is at present rather in a dangerous way — being some days ago at Niagara he caught cold which settled in his knee — it is much swoln gives him acute pain and is attended with some Fever — I think the Doctors call it an Erisipelas — I was with him last Evening he gave me your Letter to read — enquired if you said anything of what you were doing — said he was afraid it was not much I have heard him before express his surprise at your not writing him on this Subject considering the Interest he took in your Wellfare you must certainly have been neglectfull if not worse.

With respect to your Memorandum left with me the following Letter from Jno. Warren jr will (in part) explain what has been done.

Fort Erie Octr 13th 1808

Your favor of the 6th Inst is now before me — Capt Chapin has not as yet delivered the Salt I shall soon make a 2d demand for the payment of his Note Agreable to your wish I have disposed of the Vessell and rigging to the Fellow who built her (Daylay) for eight bbls of Salt — all the rigging I could save is but little all the small ropes & running rigging was taken as well as all the Iron that could be come at before I had any command of her — I think she is tolerably well disposed of — If the Fellow comes forward as agreed on

(Signed) J WARREN

Mr Warren has just arrived — Chapin has gone down the Ohio and Daylay has not as yet performed his agreement

(Askin Papers Dominion Archives)

White pine on all Crown lands had been strictly reserved for the benefit of the Royal Navy and the Surveyor of Woods and Forests had been consequently instructed to report where such timber was to be found to prevent depredations.

FROM MAJOR CHRISTOPHER HAMILTON TO WILLIAM HALTON

Fort George 9th Novr (1809)

Sir/

I think it my duty to state to you for the information of His Excellency the Lt Governor that it has been reported to me that a Man of the name of Martin who is building a Vessel at the head of the Lake is cutting a quantity of White Pine

which I understand is reserved for the use of his Majesty
I have the Honor to be &c

C HAMILTON
Major 100th Regt Comg
Ft George.

(Sundries Upper Canada, 1809)

The sheriff of the Niagara District who was also Surveyor of Woods and Forests, was instructed to investigate and made the following report

Niagara 9th December 1809

Sir

I received your Letter of the 11th of November and in obedience to His Excellency's directions, went to the Head of the Lake and made the necessary enquiry I examined and found some Oak timber in Possession of Mr Martin but of so little Consequence that I did not think it merited any attention there was no White Pine Cut on any reserve I informed him of the impropriety of Cutting timber on His Majesty's reserve without permission he said he was sorry for having cut the Oak timber but would Cut no more —

I have the Honor to be &c

THOS MERRITT

Wm Halton Esquire
York

(Sundries Upper Canada 1809)

A proclamation was published as a result of this and other information on the 29th December 1809 announcing that any Person cutting Timber on our Crown Lands ungranted or on our Crown and Clergy Reserves is guilty of a misdemeanor subject for a first offence to a fine of £20 or twelve months imprisonment for a second offence to a fine of £30 or imprisonment for eighteen months and for a third offence he shall be deemed guilty of a felony punishable by transportation for seven years All timber so cut was to be seized and sold for the benefit of the revenue.

A tattered and scarcely decipherable letter from George Hamilton to Charles Askin among the Askin Papers gives a further account of his father's declining health and damage caused by an astonishing ice-jam in the river

Queenston Jany 20th 1809

Dear Charley

I have this day received your short favour by the Mail

illegible Lyons swears the next time you play him such a slippery trick he will send you a role of Wrapping paper & let you pay the Postage & Squire William does not seem in much better humor Every body here felt sorry for poor Laughton that from his weakly appearance his friends did not expect to see him again We were not surprised to hear of the failure of the Detroit Bank fortunately nobody here has any of his Excellency's paper except the inclosed Bank Note 75 Dols which my Father has desired me to to tell you to make the most of[1] — Do not write anything particular to myself at present or if you do put it on a piece of paper by itself for the Devill would have it in spite of your precaution William Robertson unfortunately saw your letter inclosed in Lyons & Mentioned it to me before my Father of Course I had to get it to tell him the news When he asked me if there were any secrets in it I had to tell him there was which seemed to give him uneasiness for which I was very sorry as he is not well enough at present to be put out of humor tho a great deal better since my last by a constant application of Poultices they brought the matter to a head by making an incision & have succeeded in draining a great deal of the (torn) humours out of it for this fortnight past but the knee is as much swelled as ever and gives him a great deal of pain when he attempts to put it to the ground which I can only account for by the constant cold applications for a fortnight without any effect may have occasioned to detention of the humors above the knee & has given the leg a Numbness Which I am afraid it will not soon recover however we must hope for the best The Doctors are not so much to blame as it was my Fathers earnest wish to dispell it if possible without making an issue in the leg but they should not have indulged a sick man so long in his own way when they saw it attended with no good. the Ladys business remains in Statu quo and except and except (sic) an occasional visit nothing I fancy will be decided on till he gets better your River is nothing in comparison with ours about 2 Weeks ago we had some very violent Winds from the S West which broke up the ice in Lake Erie & drove it down in such quantities that for 3 days you could hardly see the water for the ice when it was closed opposite our house it only took an hour to fill up solid to the black Rock with a Ridge in the Middle nearly upon a levell with the banks in 4 hours afterwards people were seen crossing over — the ice rained so very fast that we began immediately to take all the goods out of our lower stores & put them into our large one & 2 days ago it only wanted 3 feet of overflowing the bottom, it has completely up sett McCormicks[1] & has raised our little one almost on one end had not Mr Clark[2] taken the precaution to fill his half full of stones it would have gone like the rest as it is some thing racked & had the ice raised a little higher nothing could have saved it he has about £600 worth of Iron in the Lower Store which he could not get away in time both the stores on the other side of the River are swept away with about 400 bbls of Salt & some whisky & Pork for the American troops the wind is now again at S W with a Violent thaw & I hope it will take away the ice without any more damage Sutherland has returned from Scotland without bringing J Robertson[3] with him which he says was only owing to the Govt not allowing any person to leave the Country without 2 Weeks or a Months application before hand poor fellow I hope that may be the only thing the matter with him but Sutherland like a blockhead left the letter in his trunk at Albany I have just learned that it has arrived on the other side — Our neighbor Phelps[4] Miss Hull & Robt Dickson[5] set off yesterday on a Jaunt to the States Phelps returns directly Miss Hull some time in April & R. Dickson goes to N York & is not certain whether he shall come back here or go to Montreal We have a Weekly Club every week for the purpose of reading the Papers, every One has a different paper & the person at whose house it is held takes care to send over the River & to Niagara for the Letters & papers after reading them we play at Cards till about 10 O Clock when we sit down to a good supper & generally contrive to end the Evening very Jovially — Its Mr Dicksons to day & Jack Warren is waiting for this — Dont you swear at me a little for making you pay the Postage for such long strings of Nonsense but you must only be revenged by sending me as long in return here we are all in very good health & Wishing you the same blessing I remain &c

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[1] Established in 1806 Augustus B. Woodward, chief justice of Michigan was the president General William Hull governor of the territory was a small stockholder The names of Richard Pattinson and William Gilkinson of Sandwich also appear in the list of stockholders. Collections of the Pioneer Society of Michigan Vol. VIII p. 575

(Askin Papers, Dominion Archives)

The arrest of a band of forgers in March 1810 near Queenston caused considerable excitement and eventually much embarrassment to the magistrates This event was briefly described in a private letter from James Kerby then a clerk for

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[1] Thomas McCormick (1784-1867) a merchant at Queenston [2] Thomas Clark [3] His half brother John Robertson [4] Probably Elijah Phelps (1746-1843) an enterprising farmer in Stamford [5] A noted trader in the Northwest brother of Thomas Dickson of Queenston and William Dickson of Niagara and a kinsman of Hon Robert Hamilton

Thomas Clark to Charles Askin of Sandwich

A few days since he wrote we Queenston Volunteers cheerfully turned out to apprehend in our neighbourhood Seven d——n Stout Strapping Yankees (and would you believe that Mr G Drake is deeply in the plot) that have long been in the habit of Uttering forged bank Notes to a very great Amount — knowing them to be such they are all separately confined in Gaol We cant at present say how it will terminate — but with more proofs they will come under the jurisdiction of *hanging* — a bad fate[1]

The discovery of an attempt to liberate the prisoners greatly alarmed the sheriff Thomas Merritt who made an urgent appeal to Samuel Street chairman of the Quarter Sessions for assistance on April 18

"I conceive it to be my duty to represent through you to the Magistrates in Quarter Sessions that the Gaol of the District is Crowded with prisoners many of whom are charged with the Crime of Forgery & that an attempt has already been Made by a Person apparently connected with them to introduce Clandestinely a file for the purpose no doubt of enabling them to escape

It is well known to many of the Magistrates that the Gaol is very insecure The Timber being in many parts decayed and as it is uncertain to what Extent the Confederacy of Forgers and Coiners may exist it must be Obvious to the Bench that the Sheriff with his ordinary Means has not the Power to Effectually Guarding the prisoners — It is consequently become necessary to provide Additional Means for securing the County Gaol against all Attempts from without or within and at the same time by an immediate application to the proper Authority to procure a Commission for its immediate delivery

The Bench will do me the Justice to believe that every Exertion in my Power shall be used to prevent the escape of any of the Prisoners under My Charge but I must press on the Minds of the Magistrates that with my present Means & in the present Situation of the Gaol I cannot be responsible for the safe keeping of the Prisoners

An emergency meeting of the magistrates was held at Niagara next day and by their advice Mr Street addressed a

letter to the Lieutenant Governor

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* This offence had become so frequent that at the session of the provincial parliament ending on March 12th 1810 an Act for preventing the Forgery and Counterfeiting of Foreign Bills of Exchange and Foreign Notes and Orders for the Payment of Money had been passed

[1] Canadian Archives Askin Papers Vol 16 [2] Ibid. Sundries Upper Canada 1809

> “The Magistrates of this District in Sessions, taking into Consideration the very critical situation of the District Gaol as faithfully detailed in the accompanying representation from the Sheriff and the evil which would result to the Publick at large should the daring Gang of Depredators now Confined therein escape the Punishment due to their crimes have by their resolution Authorised me to apply to your Excellency for a special Commission of Oyer & Terminer for this District which I have now the honor to do
>
> “The Sheriff has so fully detailed this business that I have nothing to add thereto but to express my Conviction and that of my Brother Magistrates that unless a Commission does issue without delay the Prisoners will escape and the ends of Public Justice be thereby defeated [2]

It was not found expedient to grant this request but a military guard was detailed from the garrison to protect the gaol until the regular assizes when five of the men accused were convicted and sentenced After having undergone a part of the punishment the prisoners petitioned for a remission of the remainder Mr Justice Powell before whom they had been convicted wrote on the subject from York on 21st March 1810 to William Halton secretary to the Lieutenant Governor

> Charles Norton alias Philander Noble William Smith Crane Levi Kemble Roberts Samuel Spring and Joseph Harris were convicted at the last Niagara Assizes of a Conspiracy and sentenced to six Months Imprisonment from the 25th September last Pillory and a Fine of Twenty pounds each, Imprisonment until paid & Security in £100 each & £50 two Sureties for their good Behaviour for two years — They have represented to the Governor that from their inability to pay the fine their Punishment will be perpetual Imprisonment which would never be the Intent of the Sentence — His Excellency in communicating their Petition to me as Judge of Assize expressed an Inclination to remit that part of the Sentence which continues the Imprisonment until the fine is paid altho' in Complaisance to a foreign Government He declines remitting any part of the direct Punishments I therefore think His Excellency may desire to be informed that the direct Imprisonment ends on the 26th Instant

When the court of Quarter Sessions met nearly a month later the convicts were still in the gaol and their case came up for consideration The magistrates wished to get rid of them and Joseph Edwards who had succeeded Streets as chairman was instructed to recommend their liberation He wrote from

Niagara accordingly on April 17 to Mr Halton

I am requested by the Magistrates in General Quarter Sessions to represent to His Excellency the Lieutenant Governor the situation of the four persons in the Gaol of this District under sentence for a misdemeanor in forging and uttering counterfeit foreign notes for the payment of money They have undergone the Punishment of standing in the Pillory and the term pronounced for their imprisonment is (some time since) elapsed paying their fines and finding security for their good behaviour are entirely out of their power and must operate as Imprisonment for life

As such they humbly intreat His Excellency to exercise the most amiable part of the King's perogative in granting them a free pardon for the remainder of the sentence This their request they beg leave to assure His Excellency is not on account of the burthensome expence (large as they have found it) that these Prisoners are to the District but to prevent any attempt they might make to break Gaol that (in their desperate case) the natural love of Liberty might incite them to. Especially since the Commandant at Fort George has found it necessary to request that the Guard might be withdrawn and which has taken place.

The method of accomplishing this remission of the sentence was referred to Justice Powell for his advice which he gave in a letter to Mr Halton on May 1

When I did myself the Honor to submit to His Excellency's Consideration the Case of the Convicts at Niagara sentenced for a Conspiracy to defraud by forged foreign bank notes it was to obviate the possibility of their sentence operating a perpetual Imprisonment in case of Inability to pay the fine imposed upon them

The mode of Relief which I took the liberty to suggest was to remit so much of the Sentence as directed Imprisonment untill the fine should be paid and security given for their good behaviour — This may be done by a Charter of pardon not remitting the fine but all Imprisonment after the Six months of Punishment which will merely discharge them from Prison without releasing the fine —

From Joseph Edwards to William Halton

Niagara 17 April 1810

Sir

I am also requested to represent to His Excellency what

the Magistrates conceive an improper application of the Military reserve in front of the Town is the permission recently given of a Mr Staats presented (among others) by a Mr Spilman of his house thereby not only spoiling the view but by encouraging similar applications have the effect of shutting up the Town by a Range of Pickets They therefore humbly request His Excellency's interference in preventing the enclosure taking place

At this Session the Magistrates have approved of a plan of a Bridge of one Arch across the Grand River nigh the house of a Mr Staats, presented (among others) by a Mr Spilman the Estimate seven hundred and fifty pounds Messrs Harris T Clarke Addison and others have come forward as his Securities and so Soon as the bonds are compleated I presume an application will be made to his Excellency for the money voted by Parliament the remaining sum being made up by private Subscriptions

I have the honor to be &c

JOS. EDWARDS.
Chairman
Genl Qr Sessions
Niagara District

Major William Halton
&c &c. &c

(Sundries, Upper Canada 1810.)

The recommendation of the magistrates for a remission of the remainder of the sentence passed upon the counterfeiters is shown to have been successful by the following order

Lieutenant Governor's Office
2nd May 1810

Sir

The Lieutenant Governor directs that you prepare a pardon to pass the Great Seal remitting the Imprisonment of Charles Norton alias Philander Noble William Smith Crane Levi Kemble Roberts Samuel Spring and Joseph Harris convicted at the last Niagara Assizes of a Conspiracy

I have the honor to be &c

WM HALTON Sy

The Attorney General

On the 26th of February 1811 Isaac Swayze no longer a member of the Legislative Assembly having been defeated at the previous election by Samuel Street again presented a petition asking reimbursement for his loss by robbery

To the Honorable the Commons House of Assembly of the Province of Upper Canada

The Petition of Isaac Swayze of Niagara most humbly sheweth

That Your Petitioner did heretofore humbly shew to Your Honorable House that a burglary had been committed upon his house on the night of the 28th of January 1806 at which time he was robbed of the sum of One Hundred and Seventy eight Pounds Provincial currency then in his possession and received by him as Inspector of Licenses for the District of Niagara for duties on Shop Tavern and Still Licenses issued 5th January 1806 exclusive of private property and money received on account of the District of Niagara and that Your Petitioner was at the same time very dangerously wounded

Your Petitioner now begs leave to press upon your consideration the honorable testimony of such facts as were then adduced by him on which your resolution of the fifth day of March 1807 was founded and humbly prays that Your Honorable House would be pleased to afford him that relief which in your wisdom you shall think the circumstances of his unfortunate case may require.

And Your Petitioner as in duty bound will ever pray

Isaac Swayze

Crowell Willson of Crowland then moved seconded by Allan McLean of Kingston for leave to introduce a bill for the relief of Isaac Swayze but the motion was lost

The royal instructions to Lord Dorchester in 1791 had commanded him to direct the Surveyor General to report in all surveys made for settlement whether there were within such survey any lands fit for the production of hemp or flax Ten years later in compliance with a circular letter from the Colonial Secretary General Hunter had requested the provincial parliament to give such encouragement as seemed necessary to stimulate the cultivation of an object of the highest importance in Europe at that time An act was accordingly passed appropriating £250 for the purpose of purchasing and distributing hemp seed gratis among the farmers and £500 to be expended in premiums and bounties for the cultivation of hemp The Lieutenant Governor was asked to appoint a Board to encourage the culture dressing and exportation of hemp Hon John McGill and Hon D W Smith were the first commissioners appointed and in 1803 Hon Thomas Scott the Attorney General was added to the number In 1804 one thousand pounds were voted for the same purpose and James Baby Richard Cartwright Robert Hamilton and William Allan were appointed commissioners for the purchase of merchantable hemp at the rate of £40 Halifax currency per ton Thomas Talbot was added in 1809 and on the death of Robert Hamilton Joseph Edwards was appointed his successor Premiums were awarded by the London Society for the encouragement of Arts Manufactures and Commerce and a further grant was made by the provincial parliament in 1808

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 9 August 1810

Sir

As Commissioner for the purchase of Hemp I have lately been applied to by a Mr Staats of the Grand River to take from him a Ton Mr Richard Hatt having also informed me that he will shortly have some to deliver for Sale and having no public money for that purpose I am induced to apply through you to His Excellency the Lieutenant Governor for the price of two or three Tons and to request that the Warrant may be made to William Dickson Esquire who I have duly appointed as my Agent for that purpose

I have the honor to be &c

JOSEPH EDWARDS
Commissioner for the
purchasing of Hemp

William Halton Esq
York

(Sundries Upper Canada 1810)

William Claus s eldest son had obtained a commission in the regular army and had been ordered to join his regiment then stationed in Jamaica This led to some interesting correspondence with Lieut Colonel William Samuel Currey who had been military secretary to General Hunter and had been granted the maximum allowance of twelve hundred acres of land as a reward for his services which he wished to sell

FROM JAMES GREEN TO WILLIAM CLAUS

Quebec 5 July 1810

My Dear Claus —

In consequence of your letter of the 11th June delivered by Mr Crooke I immediately conveyed the 400 Acres in

Grimsby belonging to Lt Colo. Curry for which Mr Crooks paid me £150 — which Sum I remit by the Owen Glendower the 10th Instant to Doctor Curry agreeably to Lt Colo Curry's Instructions — the Conveyance could not be perfected when Mr Crooks was obliged to take his departure by the Steam boat but I afterwards delivered it to Capt Evans conformably to Mr Crooks's Instructions —

Lieut Governor & Mrs Gore have received every possible attention from Sir James Craig Since their arrival we have had nothing but feasting — dancing and the like — they came very opportunely to attend the Races to-day — General Brock gave a dinner to the two Governors to day and a Ball to as many Ladies as his room could conveniently contain — they danced in two rooms to the Band of the 8th Regt — which unquestionably is the best Military Band I ever saw both in point of Numbers & fine execution on their Instruments —

Capt Selby of the Owen Glendower gave a Superb dejeuner on board his Ship the day before which was conducted in a Superior Stile — Lt Govr & Mrs. Gore were received with 13 Guns — Capt Selby is a most excellent Character — devoid of that Pomp you often meet with in Naval Characters—

To day the races begin — dinner at the Bishops — Play in the Evening — To morrow races — dinner at the Chateau to a Number of Ladies and Gentlemen — and Race Ball at the Hotel in the Evening — Races again on Fryday and Saturday — on Sunday I presume the Governor will return in order to transact some indispensable business in his Province

Governor Gore has been very attentive to me he favors me with a long visit every morning at the Office — he called on me an hour after his arrival with Colo Kempt

Adieu my dear Sir Accept best wishes for yourself Mrs Claus & your family from me and mine & believe me to be
Ever yours

JAMES GREEN

(Claus Papers, Vol 10 pp 9 10)

FROM WILLIAM CLAUS TO LIEUT COLONEL W S. CURRY

Niagara 16th Sept 1810

My Dr Curry

Your letter of the 26 Octr 1809 I had the pleasure to receive telling me of the safe arrival of my son William at

Jamaica I have seen by the *Gazette* of the 18th Novr 1809 that there was a mistake in Wm's appointment to the 54th Regt which I assure you Mrs Claus & myself most sincerely regret yet I flatter myself with the hope that your friendship will be the means of bringing the business to a happy end Should he be removed from under your friendly care that ease of mind which has prevailed in both Mrs Claus & myself since with you will vanish & be left in a constant state of anxiety Our only consolation if he is to be secured to an Ensigncy you will have it done

The French influence has reached the Lower Province Sir James Craig has five or six Canadian Lawyers Notaries & Members of The Assembly in Gaol (Bedard, Blanchett & Tachereau of Quebec) being detected in a Treasonable correspondence with the French Embassador at Washington — he dissolved the House again last Winter he acts with decision & does not trifle with them as did Lord D & Sir R Milnes

Your lands I have left nothing untried to dispose of — only 300 Acres I have got off & to receive 7/6 pr Acre in Cash on giving the deed but it will be some time before that can be done as Green will have to execute the Deed & to him I shall remitt the Money as soon as pd

Since your favor of the 26th Octr we have not heard from Jamaica We are at a loss for Wm's silence I should have been glad to have heard from him any particulars of his Voyage &c you will readily conceive untill we can hear from you better than I can describe — my boy Dan has been appointed to the 49th Regt now in this Country & still under the Command of our friend Genl Brock his Lt Col (Sheaffe) is at last married to Miss Coffin by next thursdays post Mrs Claus I believe intends writing to Wm —

God Bless you joined by Mrs Claus & all the family in wishes for your health & happiness — I remain your most faithfully

All hands send their Love to Wm

(Unsigned draft)

(Claus Papers Vol 10 pp 1 3)

FROM WILLIAM CLAUS TO LIEUT COLONEL CURRY

Niagara 17th Novr 1810

My Dr Curry

Just as I was stepping into my boat with three Characters well known to you Genl Brock Col Vincent and Capt Glegg of the 49th Regt on my way to York by the Head of the Lake I had the pleasure to receive yours of the 13 June With 3 such men I think I hear you say he must have had a pleasant time. Genl Brock remains with us in the Command of the Upper Province the other Gentlemen returned about 3 Weeks ago to the Lower Province — they came up with a number of other officers to sit a Genl Court Martial upon some men of the 100th Regt for desertion & Mutiny Very little was done after all their Troubles — one man flogged & one transported to Botany Bay

Green will have told you that he has received one Dollar & a half pr Acre for 400 of your Acres I assure you I sold them with reluctance but it is your desire that they are sold

We are going on nearly as usual Genl Brock being with us makes some difference he lives in the Govt House and often sees 10 or a dozen friends but unfortunately he is quite alone not an officer with him Harriot[1] who was his Major of Brigade is at Quebec with Genl De Rottenburg he ought to have kept Col Vincent or Glegg it would have been a happy thing for the latter as on his way down near Kingston in shooting a deer in the Water he unfortunately shot a man in the Bow of the boat a soldier of the Veterans

(Unsigned draft)

(Claus Papers Vol 10 pp 11 13)

Samuel Street and Thomas Clark who had obtained control of the Bridgewater Mills and desiring to extend their business, published a printed notice in the form of a handbill a copy of which has been preserved among the Askin Papers in the Dominion Archives.

CLARK & STREET's terms for exchanging Wheat stored at the Bridgewater and Falls Mills are

For three Bushels merchantable Wheat of 60 lbs each
112 lb fine Flour
49 lb Bran
4 lb ship stuff

For 5 and a half Bushels ditto
196 lb Superfine
70 lb Bran
8 lb Ship Stuff

3 shillings and 6d York for each Barrel furnished 6d per Barrel for packing and 6d more if nailed and lined — Quality

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[1] Heriot

of Flour (if doubted) to be ascertained before taken away from the Mills

Should the Mills or Wheat Stores be destroyed by fire the subscribers are not to be accountable for any loss occasioned thereby

CLARK & STREET

Bridgewater November 7th 1810

Hugh Alexander who had come to Upper Canada as a Loyalist in 1782 after employment of many years as a clerk had commenced business as a merchant at Fort Erie Copies of many of his letters have been preserved and throw considerable on local commerce of the time

FROM HUGH ALEXANDER TO THOMAS MCCORMICK

Dear Sir

Agreeable to promise I have herewith given you a statement for which I will forward your goods at from Chip. next season to this place and from this to Chip. which I trust will meet your Approbation viz Salt 2/4 per bbl payable in salt at 30/ at Queenston free of duty or 2/ cash — the salt to be shipped as advised

Goods 1/3 per cwt to receive here and ship as above
Pork to receive here and forward to Chipewa 1/3
Flour to ditto and forward to Chip 1/
Pork & Whisky to receive here and forward to Chip 1/4
Potash do do do do 3/
or 2/6 if not Hard

The cash accounts payable at the close of the season — and the salt monthly if required

Fort Erie
Nov 6 1810

N B You will please observe the above prices are New York currency

FROM HUGH ALEXANDER TO THOMAS DICKSON

Dear Sir

Your kind favor of the 1st ult came to hand the 10th I should have answered your letter immediately but could not say to a certainty how many barrels I should have and also expected to be down before this time but the roads is at present very disagreeable you can depend on twenty barrels of pork which can be delivered in a very short time — I merely say this as you may wish to know the quantity on acct of your own contract I intend being down either the last of this week or the first of next as Mr Bilder is waiting for this

Fort Erie
Jan 7/11

FROM HUGH ALEXANDER TO CAPT B MARTIN

Fort Erie Feb 14th/11

Dear Sir

Yours of 21st ult came duly to hand on the 7th inst and hasten to inform you that in my opinion by all means start out for Buffalo as what property may be on board for this place can be brought from that without any interruption and should there be any probability? of making one or two trips from Black Rock to either Cayahoga or Erie the vessel will have it then in her power to perform the same — if not it is very easy to run over from Buffalo to this place I have not seen your father as yet however I dont hesitate in giving my opinion as above as it will undoubtedly be best for both shipping and owner because should she clear for this port and part of the property be for Buffalo the owner would then be deprived of getting it over The season as yet has not been very severe I am therefore inclined to hope that the ice will be out very early in the spring and I think there will be no time lost in coming down as soon as the lake weather &c will permit and unless you can get some rigging and repair done in trade — the vessel I think had better be brought down to repair either here or at Black Rock where the material can be got without paying cash immediately Dont by any means pay Cook any of his wages if there is any due him as he was in arrears with me when he went away I shall see your Father in a few days and will then inform him of what I have said to you and should we jointly agree to make any different arrangements I will then notify you accordingly

Capt B Martin

Detroit

Should you have an opportunity of getting some old rope or junk get it to make oakum as I should want some for my own and another vessel will also want some You will likely get the above for trade and cheap. Also get a small cadge and compass cheap and have the means to make payment without paying money

FROM HUGH ALEXANDER TO CAPT BUD MARTIN

F Erie Mar 12/11

D S

I wrote you the 14th in ans to yours of 21st Jany but fearful that it may be miscarried I shall now write you per Capt Rough to say that I wish you by all means to clear out for Buff as part of the property you have on board is I presume for that place which if you come to this side will not be allowed to be taken over but whatever may be on board for this place can be brought over from there here without difficulty The weather at present is very fine and should it continue much longer I think the ice will be out by the 1 of April perhaps sooner In my last I mentioned that you had better gett a compass & small anchor perhaps 1 cwt and as there is several old vessels in that quarter perhaps you can get in trade or payable in salt next fall sails that would answer for a square sail and topsail and also get what old rope you can conveniently to make oakum as I shall want considerable this spring As your brother Anderson I presume will be with you if you and him can see a bargain in any of the above mentioned articles you had better take them and also should you see such spars as the Chip may want you may as well get them Should whisky be cheap in Detroit say 4/ 4/6 or even 5/ a gall if you have the means bring what you can with you In hopes that every caution will be used in getting down safe as soon as the Lake and weather will permit

Capt Bud Martin
Detroit

FROM HUGH ALEXANDER TO THOMAS DICKSON

Fort E Mar 16/11

D. Sr

Your very kind favor of 21st ult I received the same day on my way to Long Point and am very sorry to find that Mr McGill did not accept your offer However should you have an opportunity before I see you of selling 20 or 22 bbls pork provided you can get a fair price you are at liberty to draw on me for that quantity and pass the same to my credit If you can conveniently spare a barrel of spirit please let the bearer Mr Smith have it who will have an opportunity of sending it up immediately

Thos Dickson
Queenston

FROM HUGH ALEXANDER TO CAPT BUD MARTIN

Fort Erie Ap 9/1811

D S

I am most disappointed on acct your not having yet arrived as I have expected you here some time past as the weather is extremely fine However I have heard verbally that the Chip is detained on acct of the non importation act In that case Major Powell will do everything that can be done in behalf of the vessel and you will in that case be directed by him what measures to take and should you come under ballast from that port in this call at Long Point on Dr Crosby[1] for 1 corn on your way down and be as expeditious as possible as I have made contracts in this quarter which must be fulfilled

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FROM HUGH ALEXANDER TO ELIJAH PHELPS

Fort Erie Ap. 15/1811

D S.

I understand there is a quantity of salt laying at Chippewa marked T Bros & Co which is under your direction As I shall have boats taking down flour should you want to send it to this place and not under any engagements I should be happy to have the boating of it and would attend to whatever directions you should give respecting the shipping of the same at this place

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FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap. 24/1811

D S

I called at Manchester last evening to see you respecting the cordage yet wanted for the Chippewa but you was from home neither could I find Mr Coffin However I sent a memorandum for Mr Ben Hopkins which if you would have the goodness to furnish and leave to Black Rock to Mr Sell[2] with the amt which if you could conveniently make payable the 1st Oct would suit me much better than the time mentioned in your letter but should that be longer than you can wait you will make the time as favorable as possible you will then send cordage by first boat

Judge Porter
Manchester

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[1] Probably Dr Elakim Crosby who joined the enemy in 1813 see Papers and Records of the Ontario Historical Society XXVI p 494

Pay no attention to the former memoranda to Mr Smith as my information respecting that was incorrect

FROM HUGH ALEXANDER TO THOMAS CLARK & CO

Fort Erie Ap 29/1811
Messrs Thos. Clark & Co

Gentlemen

Yours of 19th I rec'd 23 The Chip is just discharged of 319 barrels marked P Cr O from Mr Nichol which will be forwarded to Chippewa as soon as possible I shall send the vessel once more to Long Point and the next trip to the Grand River for Mr Hatt's flour which I presume from your letter is ready If wind and weather will permit you may expect Mr Hatt's flour the last of next week or the first of the week after The Salina has also a load of flour from Long Point which will also be forwarded soon I have sent from this place 104 bbls flour marked H A for myself which you will have the goodness to forward to Messrs. Parker Gerrard Ogilvie & Co. Montreal the first opportunity

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie Ap 30/1811

Sir

Yours of 25th received 28th enclosing the bill of rigging which came to hand in good order I am extremely sorry that you was put to the trouble of making that part of the rigging that is not at present wanted if I recollect right I mentioned to your man that the memorandum left with Mr Coffin by Mr Smith was incorrect but that I should leave one with him that evening

However I find I am still deficient much which I shall trouble you again to furnish & forward to Black Rock as formerly

Say 1 cwt spun yarn
2 bunches of marlin.
30 fathoms 3 rope
2 lbs serving twine

To Judge Porter
Manchester

FROM HUGH ALEXANDER TO WILLIAM SOUTHERLAND

Fort Erie May 11/1811

Sir

Messrs Thomas Clark & Co. has wrote to me to say that

Saml Hatt Esqr has a quantity of flour at your place which he wants forwarded to Queenston I have therefore agreed with Mr Thomas Hickok[7] the bearer of this to bring the team to this place you will therefore deliver to him as much as he can conveniently take and Oblige

From Hugh Alexander *(Unaddressed)*

Fort Erie May 13/1811

Sir

I am concerned in a small vessel (the Chippewa thirty six tons burthen British Bottom) which I would wish to engage in the salt business from this to your port if the laws now in force will allow the same May I therefore beg the favor of you to state to me as soon as convenient your opinion on that subject whether you think it advisable to send him to your port or not and you will very much oblige

From Jonathan Walton to Francis Gore

Schenectady 15 May 1811

Sir

As it may be agreeable for your Excellency to know that agents for many Respectfull families have called on me lately for the purpose of making arrangements to Remove into your province the ensuing Summer I think it my duty to give the information I shall continue my endeavours to faciliate as many good people into the province as I possibly can — having the wellfare of your Excellency's governmt at heart

I most sincerely congratulate your Excellency on the Glorious news of the success of the British arms in Portugal in driving the hauty foe out of that kingdom — with my sincere prayers that England may finally Tryumph over the Tyrant of Europe

I am &c

J Walton

His Excellency Gov Gore

(Sundries Upper Canada 1811)

The writer of the foregoing letter was an officer in a loyalist regiment who had been retired upon half pay and had settled in Nova Scotia and afterwards undertook the settlement of the township of Hope in Upper Canada Eventually as he stated with General Simcoe's approval he established himself as a merchant in Schenectady and seems to have exerted him self zealously in promoting immigration to Upper Canada asserting that his situation there enabled him to promote the Settlement of that Country more than he could possibly do. by *residing in Canada*[1]

Richard Hatt of Ancaster Samuel Street of Stamford and Joseph Edwards of Niagara had been appointed commissioners to supervise the expenditure of money granted by the provincial parliament for the improvement of the main roads in the Niagara District

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FROM RICHARD HATT TO WILLIAM HALTON

Ancaster 21 May 1811

Sir

I received your Letter of the 17th Ulto acquainting me of the appointment which it has pleased His Excellency to honor me with and in order to carry the same into effect as soon as possible (being unable at this time to leave my family) I have taken the liberty to empower my Brother to receive such part of the money appropriated by the said Act as may more particularly fall under my immediate inspection to lay out that is from Vanderlip to A Westbrook's from Brady's Tavern thro Saltfleet to the Forty Mile Creek on the New Lake road and building a Bridge over the Outlet at Burlington Bay which is the arrangement lately made with the other Commissioners

I have the honor to be &c

Major W Halton RICHARD HATT

(Sundries Upper Canada 1811)

FROM HUGH ALEXANDER TO PARKER GERRARD OGILVIE & CO

Fort Erie May 23/1811

Gentlemen

Having some flour to send to Montreal this season and from an acquaintance I have had of you through Mr Nichol & others in this quarter I have taken the liberty of addressing it to you which if you will have the goodness to take charge of and if you have an opportunity of selling any part of it for nine dollars or upward please to sell it — if less I should rather have it housed till I go to Montreal myself which will be in July or first of August I shall also request the favor of you to write to me the correct prices of flour pork & potash as often as convenient and oblige

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[1] Papers and Records of Ontario Historical Society XXVI, p. 361

FROM HUGH ALEXANDER TO THOMAS CLARK & CO.

Fort Erie May 30 1811

Messrs Thos Clark & Co

Sirs

Yours of 16 instant received on the 22nd and have now the Biscuit ready say 3200 lbs the quantity of flour taken for the season is 18 barrels which you mentioned soon to be replaced at Queenston You will also pass £19 6 0 N Y Cur in my credit

The price for baking say 12/ per cwt you can either make the flour and forward it to Montreal with the rest or pass it in my credit as may be most convinient

FROM HUGH ALEXANDER TO CLARK AND STREET

Fort Erie June 4 1811

Messrs Clark and Street[7]

Dear Sir

Yours of 28th received the 3rd inst and will cheerfully account to you for the neat balance that may be due Robt & Saml Martin for their respective shares in the Chippewa when and in such articles as may be collected for freight in said vessel at present I have nothing in my hands

FROM HUGH ALEXANDER TO PARKER, GERRARD OGILVIE & CO

Fort Erie June 10 1811

Messrs Parker Gerrard Ogilvie & Co

Gentlemen

I wrote you on the 23rd respecting some flour forwarded to your care which I requested not to be sold under nine dollars. However, Mr Storrs[7] is going sooner to Montreal than I expected I have taken the liberty of drawing on you in favor of Messrs. Jabez Storr & Co. for twenty five pounds currency which you will please to honour

If you have not sold sufficient of the flour at the above rate you can sell to the best advantage enough to discharge the above draft, and the remainder if you think there is any possibility of its rising dont sell till you have further advice Please write me the quantity received in good order and what prospects are respecting the price and you will very much oblige

The annual return of the militia of the county of Lincoln dated 4th June 1811 showed that the 1st Lincoln commanded by Colonel Ralfe Clench consisted of one Colonel one Lieutenant Colonel one Major ten Captains ten Lieutenants ten Ensigns one Adjutant one Quartermaster thirty two Sergeants and 513 rank and file being a decrease of sixty rank and file since the last return The 2nd Lincoln commanded by Lieutenant Colonel Thomas Clark was composed of one Lieutenant Colonel one Major nine Captains Ten Lieutenants, ten Ensigns, one Adjutant one Quartermaster twenty three Sergeants, and 572 rank and file showing an increase of eighty six in the last description The return for the 3rd Lincoln commanded by Lieutenant Colonel John Warren was dated 1810 and showed a total strength of one Lieutenant Colonel one Major eight Captains six Lieutenants seven Ensigns one Adjutant one Quartermaster sixteen Sergeants and 350 rank and file The 4th Lincoln commanded by Lieutenant Colonel Johnson Butler numbered one Lieutenant Colonel one Major ten Captains eight Lieutenants nine Ensigns one Adjutant one Quartermaster twenty-seven Sergeants and 459 rank and file being an increase of fifty two The 5th Lincoln commanded by Lieutenant Colonel Andrew Bradt reported a strength of one Lieutenant Colonel one Major seven Captains ten Lieutenants eight Ensigns one Adjutant nineteen Sergeants and 404 rank and file being an increase of fifty seven

Three official letters from commanding officers have been preserved

FROM RALFE CLENCH TO THE HONORABLE AENEAS SHAW

Niagara June 8th 1811

Honble Sir

I enclose two Returns of the First Regiment of the County of Lincoln Militia No 1 Contains those from Sixteen to Sixty years of Age and No 2 those from Sixteen to Fifty only from this you ll see the small Number we have above Fifty

You ll also perceive by my Remarks the very few Absentees with the Character of most of them in Captain Crook s Company we have some respectable Americans a Mr Beldon a Worthy Man who has always declined bearing Arms, but upon all regular occasions transmits the Amount of his Fine as by Law imposed but of this description there are but few We have some others in the Regiment who are inclined and would if in their Power not only stop the Militia law being carried into effect but the Wheels of Government also of this Democratic Class fortunately we have not many

A Lieutenant Robert Runchey a worthless troublesome Malcontent it is rumord that he intends Personally to wait on his Excellency the Lieutenant Governor and to request his acceptance of his resignation This I sincerely hope he may do and that his Excellency may be pleased to accept of the same as he is almost the only one I can term a Black Sheep in our Regiment and with whom the Officers I believe would gladly part

The Number of Private Men at present exceeds what by Law is allowed to each Company and yet we have not a sufficient Number to form another Regiment I would therefore beg leave to suggest the propriety of Forming Three or Four Independant Companies in the Township of Louth in which there are I dare say Men Sufficient This Township is now within the limit of the First Regiment which would still be sufficiently numerous. I am induced to make this suggestion from a difficulty that has occurred with some of our Justices where Companies have exceeded Fifty Private Men I could not obtain Judgment upon Summons for no other reason as was stated than that the Company in Number exceeds what the Law directed by which Defaulters have gone unpunished From the Strength of our Regiment you will see that there is no other remedy unless dividing the Regiment from the situation and Settlement of the Townships of Niagara and Grantham this would not be in my opinion so eligible as to Form Independant Companies in the Township of Louth

Should this suggestion meet his Excellency's approbation permit me to request your earliest intimation I shall then transmit a list of Persons proper to be Appointed officers

I have the Honor to be &c

RALFE CLENCH
Colonel 1st Regt Lincoln
Militia

Honorable Aeneas Shaw
Adjt General Militia
York.

(Sundries Upper Canada 1811.)

FROM ANDREW BRADT TO THE ADJUTANT GENERAL OF MILITIA

Barton 8 June 1811

Sir

I now enclose the General return of the 5th Regiment of Lincoln Militia at the same time I have to transmit you the

resignation of several of the Officers of my Regiment & shall submit to you to lay before His Excellency the Lieutenant Governor the frivolous excuses made in order to get rid of the Service thinking by resigning they get cleared from all future Service —

CAPTAIN AUGUSTUS JONES resigns without any other excuse than that he does not like to get the illwill of his Neighbours by making them do their duties in the Militia

CAPTN JOHN LOTTRIDGE (the Son of Captn Robert Lottridge of the Indian department during the late war) resigns because he says he is so dull he cannot learn the Manual Exercise therefore cannot teach his Men

CAPTN JOHN CHAMBERS resigns because hes a very large family is rather a sickly man & is in very poor circumstances

LIEUT JOHN JONES is removed from the neighbourhood of my Regiment & is promoted to a Captns Commission in another

ISRAEL DAWDY refuses to serve as an Ensign as he had originally a Lieutenants Commission & had for a considerable time the charge of a Company & discharged the duty with great Credit to himself in that situation

ENSIGN A B BRADT has removed from the neighbourhood of my Regiment too far to attend his duty in it

If therefore His Excellency should approve the resignations & if so many persons should be exempt from Militia duty from it I shall beg leave to recommend that Lieut John Aikman — Lieut Israel Dawdy & Lieut Lewis Horning may succeed to the Companies vacated by the resignations & that Abel Land Senr William Weir & John Bradt be promoted to Lieuts also that Jacob Riemill Joseph House Joseph Burney George Rousseaux Samuel Green and Jacob Killman be recommended as Ensigns in my Regiment

I cannot conclude without observing that those whose friends & themselves have received the greatest encouragement & inducement to persevere in the good cause do not hold out the longest vide Augt Jones — & J Lottridge & at the same time I cannot but remark to you that Mr Abraham Markle & William Biggar both of Ancaster utterly refuse to train in the Militia & declare never will do more than pay their fines — that should we be called on actual Service we might not find support in many who have had great advantages from professions of Loyalty & suffering

I have the honor to be &c

ANDW BRADT
Lieut Col

To the Adjutant General of
the Militia of Upper Canada

(Sundries Upper Canada 1811.)

FROM THOMAS CLARK TO AENEAS SHAW

Queenston June 10th 1811

Sir

Herein I have the honor to inclose you a return of the 2nd Regiment of Lincoln Militia for the 4th inst which be pleased to transmit to his Excellency the Lieutenant Governor as the Law directs —

By this return you will perceive that there is a Captain wanting to one of the Companies — owing to Captain Warner having some time ago resigned from Old age — To fill up this vacancy I should recommend John Decow the oldest Lieutenant in the Regt and well adapted to supply the place of Capt Warner — Ensign Jacob J Ball to supply John Decow's place and Mr James Lyons to supply the place of Ensign Jacob J Ball —

I have the Honor to be &c

THOMAS CLARK Lieut Coll
2d Regt Lincoln Militia

Aeneas Shaw Esqr
Adjt Genl of the
Militia of Upper Canada

(Sundries, Upper Canada 1811.)

Considerable grants of land had been made by the first land board to officers of Butler's Rangers and the Indian Department three of whom had died on service and the other two had left the province Action was accordingly taken to cancel these allotments.

EXECUTIVE COUNCIL OFFICE

York, 14th June 1811

Public Notice is hereby given that the Locations designated by the Land Board of Nassau for the following Persons in the Township of Binbrook District of Niagara will be declared open for Grant to other Persons unless within Six Months from this date they severally appear by themselves or Agent to establish their Claim and sue out their Patents.

LIEUTENANT GEORGE HARKIMER
LIEUTENANT HENRY HARE
SURGEON'S MATE PATRICK BURK
LIEUTENANT FREDERICK DOCHSTEDER
CAPT JOHN MCKINNON

By Command of His Excellency
the Lieutenant Governor in Council

JOHN SMALL
Clk of the Executive Council

(Sundries, Upper Canada 1811)

The author of the next letter was deported as an alien enemy in 1812 and his book was published in the United States in the following year and rapidly ran through six editions

FROM MICHAEL SMITH TO WILLIAM HALTON

Niagara June 22d 1811

Worthy sir I hope you will not be offended at the liberty I have taken of writing to you — nothing but the information I have had of your disposition could have encouraged me thus — Worthy Sir it is through your means that I humbly wish to communicate to his Excellency our Governor my design of publishing a Geographical and Political view of the province of Upper Canada

My design in publishing this work is to give a general information of the goodness of this land and (sic) Laws. I would not wish to do anything that might be contrary to my Governor's wish I therefore would be very thankful if you would communicate the same to me through the hands of Mr Cameron Printer[1] — If his Excellency should wish to see the manuscript before the signification of his mind it shall be sent I do not count my self the Author tho I have assisted in the work and have copied the whole I am a native of the state of Pensyvania (sic) and came to Canada 18 months ago have taken the oath of Eligence percured a reserve lot of land have a small family and am a poor man I am Sir with humility your unworthy servant

MICHAEL SMITH

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[1] John Cameron then publisher of the York Gazette and Upper Canada Almanac see Scadding Toronto of Old pp 268 9 533

N B I now teach School 3 miles from Niagara

William Halton Esq
York

(Sundries Upper Canada 1811)

FROM HUGH ALEXANDER TO JUDGE PORTER

Fort Erie June 17 1811

Dear Sir

I must once more call on you for a small quantity of cordage yet wanted for the Chippewa viz
60 fathoms of six thread ratlin
120 do. of 15 thread do or perhaps 12 may answer
20 do 2½ inch rope
14 lbs spun yarn
which you will please send up to Black Rock by the first boat and oblige

FROM HUGH ALEXANDER TO JOHN MUIRHEAD[1]

Fort Erie June 19 1811

Dear Sir

Yours of the 15th inst inclosing your J W Miller recd yesterday I now send by the boat ninety five barrels of flour belonging to Mr Nichol for government which agreeable to Mr Coffin s direction to Mr Warner he is to deliver six hundred bound for at Queenston and four hundred at this place the latter which is already delivered there for agreeable to that direction you as his agent at Chippewa will please for d to Queenston ninety five barrels flour together with our 150 barrels already at Chippewa which was forwarded to Mr James Cummings not knowing at that time what were to be delivered at that port Should Mr Nichol have given you any directions respecting the above flour himself you will of course be guided by the same or should you have any convenience of keeping the flour safe at Chippewa till we can have advice from Mr Nichol with respect to the forwarding of it to Queenston you can do as you think most advisable for Mr Nichol s interest I have also given directions for the boat to call for Messrs Clark & Street s flour at Mr Miller s

Mr John Muirhead
Chippewa

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[1] A merchant and collector of customs at Chippawa

FROM HUGH ALEXANDER TO WM H ALEXANDER

Fort Erie June 22 1811

Dear Uncle

Yours announcing the death of my brother David came duly to hand and I am very sorry to hear the news but we are all mortal and may be called upon when not as well prepared as I hope he was. He has now paid the debt which we all owe and is far from all the cares troubles and anxieties of this life

I have the pleasure to state that we all enjoy good health hoping that inestimable blessing attends you and family Ephraim is at present at Ancaster at the head of Lake Ontario but intends going to Long Point this summer to commence business with E. Crosby Esqr of that place and I hope will do well I should have wrote you immediately on the receipt of yours but have been anxiously both to hear from and see Mr McDougall respecting your business as I employed Ephraim who was down at the time I received your letter to call on him (he McDougall) he at last has come down and paid me 1150 pounds in cash and a note of hand for one hundred pounds N Y C payable Jan 1812 with interest from 14th inst against as good a man as we have in this country part of which I may perhaps get before I go to Montreal which I intend next month if weather permits perhaps about the 18th or 20th and will come home by your place at which time (should I get no safe opportunity to remit the money sooner) I shall give you whatever money I may have received from Mr McDougall's amount and as much of my own as I possibly can

Susan and William Dixon to be kindly remembered to you and Aunt Mary and all enquiring friends

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FROM HUGH ALEXANDER TO SAMUEL STREET

Fort Erie July 19 1811

Mr Samuel Street

Dear Sir

Mr Sent Martin[1] has this morning mentioned to me that fifty dollars was promised by him and his father to be paid in cash to you for money advanced by you to Judge Porter previous to their giving you their draft on me for the note due them. They therefore to make their promise good to account date you as far as lay in my power I have sent by Mr Sent Martin the above amt say fifty dollars which I hope will arrive safe I shall also inform you as soon as possible balance due them and when payable

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[1] Should probably be Saint Martin

FROM HUGH ALEXANDER *(Unaddressed)*

Fort Erie Aug 2 1811

Dear Sir

Yours of the 30th I received yesterday Capt Dobbie has this morning come over and informs me that he has on board the Salina betwixt them and you Hundred Packs and a few barrels potash and as he has some property aboard for Presquile it will be out of his power to come over therefore requested to have them taken from the pier As the packs is all for this place they will be forwarded as soon as possible part will go to-morrow With respect to the bales none of them got injured as it was only the ends of a few that got wet which soon dried by exposing them to the air in the store The boat is well mann'd and has now six good oil clothe However every possible care will be taken both with the goods and packs

The following letter from the Deputy Superintendent of Indian affairs shows the extreme tension caused by the menace of hostilities by the United States nearly a year before they began.

FROM WILLIAM CLAUS TO LIEUT COLONEL CURREY

Niagara 17th Augt 1811

My Dr Curry

I am sorry that I cannot tell you that I had disposed of a few more of your Acres Sales are at a stand just now but I will not lose sight of them they ought to sell & will from the situation it is becoming a thick settlement

Your friends in this part of the world are all well & joging on how long we will be allowed to remain in Peace & quietness God knows our neighbours appear much inclined to quarrel with us at least their Govt but they do not know what to do the Eastern States seem as much averse to the French as the Southern are in favour of them & I believe very powerful Tribes of Indians on the Waters of the Mississippi are by no means pleased with the treatment they receive from the Americans & their encroachments Another cause of dissatisfaction is their Trade being in great measure stop'd by the Non inter

course I understand a deputation is gone to Washington from the Missouri on the Subject

The Death of Mr Hamilton has long been known to you his Second son George was lately married to Jarvis's Eldest daughter & the Second (Augusta) is shortly to follow her example & marry McCormick of Queenstown

Lt. Col Curry Comdg
54th Regt Jamaica

(Unsigned draft)

(Claus Papers Vol 10 pp. 19 21)

James Durand who had previously been major of the first regiment of Lincoln militia having removed to the township of Barton had been appointed a captain in the 5th Lincoln but soon became discontented with his commanding officer who had formerly served in Butler's Rangers and was perhaps not very courteous in his manner

From James Durand to William Halton

Barton 5th September 1811

Sir

I have to request that you will be pleased to inform His Excellency Lieut Governor Gore that in consequence of what I thought was his wish when I last had the honor of an interview viz that if any did exist a direct charge should be brought forward by the Officers of the Fifth Batallion of Lincoln Militia against Lt Col A Bradt I have taken occasion to make his disposition known to some of the Gentlemen of that Regiment who heretofore had been very desirous of such an Opportunity they have however now declined coming forward

That His Excellency may be able to account for such a change of mind in those who so warmly desired the removal of Col Bradt I would take the liberty to suggest that it is extremely probable a general relaxation of Duty would upon inquiry be found to have pervaded the Regiment having its source perhaps in the example of the Colonel

I have the honor to remain &c

JAMES DURAND

To
Major Halton
Secretary to Lt Gov Gore

(Sundries Upper Canada 1811)

In addition to his offices of post master, justice of the peace and commissioner of roads, Joseph Edwards had been appointed a commissioner for the purchase of merchantable hemp made vacant by the death of Robert Hamilton. The letter which follows shows that a considerable quantity had been produced in the district.

FROM JOSEPH EDWARDS TO WILLIAM STAUNTON

Niagara 7th Septr 1811

Sir

As Commissioner for the purchase of hemp I had the honor to address his Excellency the Lieutenant Governor through Major Halton so long since as the Ninth of August 1810 stating that I had been applied to by two persons who had that article for Sale and requested that the warrant for the payment of two or three Tons might be made to William Dickson Esqr whom I had appointed as my agent to receive the same. To this Letter however no reply was made and I only learned from Mr Dickson that as his brother had mentioned at York that he would take all the hemp offered in this District it was considered unnecessary to send me any money.

Within these few months I have had the same applications to take hemp as a Commissioner and in reply referred them to Mr Dickson, declined taking any from them and lately I spoke to him myself who said he had no orders from Captain Mills[1] to purchase.

This day 29 cwt 1 qr 17 lbs amounting at the price offered by Government to Ninety One pounds 17/ 7¼ Currency has by Messieurs Belden and Titman been put into my hands after taking the Oath prescribed by Law. As I did not wish to refuse it on the principle of having no funds to pay them which they understood the other Commissioners always had I applied to *Major Halton* who directed me to you for his Excellency's information on the subject. Have the goodness to inform me what I am to do by the first opportunity.

I am Sir &c

JOSEPH EDWARDS
Commissioner &c.

William Staunton Esquire
Sec y &c &c &c

(Sundries, Upper Canada 1811.)

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[1] Probably Captain William Mills who had established a rope walk and cordage factory at Amherstburg.

An endorsement in pencil on the blank page reads

Major Halton was then at Niagara on his way to Lower Canada & this letter was submitted to the Lt Governor — nothing was done in the business

A report of Mr Justice Powell is evidence of the extreme reluctance of the Bench as well as the public to inflict capital punishment for the crime of theft

FROM JUSTICE WILLIAM DUMMER POWELL TO WILLIAM HALTON

York 26th Septr 1811

Sir

I have the Honor to report for the Information of his Excellency the Lieutenant Governor that on the western Circuit in the District of Niagara George Windeker was capitaly convicted of stealing a Heifer but recommended to Mercy by the Jury which convicted him — As the Man bore a good Character untill charged with this offence and his Connections were respectable I presume his Excellency will think with me that the great object of Example may be attained by commuting his Sentence into perpetual banishment which may be done by a conditional Pardon — I have the Honor to be &c

Wm Halton Esqr — WM DUMMER POWELL J

(Sundries Upper Canada 1811)

This recommendation was promptly carried into effect by the following order to John Macdonell the acting Attorney General

LIEUT GOVERNOR'S OFFICE

York U Canada 30th September 1811

Sir

I am commanded by the Lieut Governor to desire that you will take the necessary measures for a Pardon on the condition of perpetual Banishment out of the King's Dominions being prepared for his Signature for George Windeker capitally convicted of stealing an Heifer at the assizes lately held at Niagara

I have the honor to be &c

WM HALTON Sy

John MacDonell Esq
&c &c &c

(Sundries Upper Canada 1811)

The change of administration was announced in the following letter wholly in Brock's handwriting.

York, Upper Canada
October 9th 1811

Sir

I have the honor to inform your Excellency that in consequence of Lieut. Governor Gore's departure for England I have this day assumed the administration of the government of this Province —

I have the honor to be &c

ISAAC BROCK
M. Gl

To
His Excellency
Lt. General Sir George Prevost
&c &c &c

(Sundries, Upper Canada, 1811.)

FROM HUGH ALEXANDER TO ALEXANDER REA

Fort Erie Oct. 3. 1811

Mr. Alexander Rea

Dear Sir

I have the pleasure to announce to you my safe arrival at this place on the 15th ult. and had the satisfaction to find my family enjoying good health. Since my arrival part of the time I have not been as well as I was while travelling but have now quite recovered my former good health. I have not as yet seen your son[1] but from my information he is very well. I should be at his place in a few days when I shall call on him. The articles I bought from you have not yet arrived but I have heard of their arrival at Queenston. Agreeable to your request I made what inquiry respecting the phials I could when coming home and in Albany found them considerably scarce. I have not as yet sold any positively but from their being scarce in Albany I judge they may sell at this place before this time twelve months — therefore if your Hghd[2] of pheals is not yet sold you may have them forwarded to Lachine to Mr. McGevach by the first opportunity for the season is now far advanced and charge me with the same agreeable to what we mentioned when at your place

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[1] Probably Daniel Ross, a merchant at Dover.

[2] Hogshead.

With compliments to Mrs Rea & Family

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Oct. 9 1811

Robt Nichol Esqr

Dear Sir

Enclosed you have Michael Hickey s receipt for two barrels marked R N to be left at Colonel Ryerson s mill for you which contains 224 lbs Black Pepper agreeable to your order which came after the Chippewa sailed & supposing that you might be in immediate want of it per the first opportunity One of the barrels not being full and supposing you might be in want of some rope for your own use I put in one coil of White Rope which will answer for traces &c which you may either credit me with at 2/ York per bill the same as I paid or sell the same at an advance on my account and deduct your commission the Chippewa has just arrived with 28 barrels of flour which I shall deliver to Mr Warren as before

FROM HUGH ALEXANDER TO JABEZ D DE WITT

Fort Erie Oct 17/1811

Mr Jabez D De Witt

Dear Sir

I have the pleasure to inform you that I arrived at this place on the 18th and found all my connections in good health Since my arrival I have not enjoyed good health as well as I did when travelling — however I have for a few days past been quite restored and trust that ere this I may congratulate you on your safe return to good health The case of hats I received on the 25th ulto And found every article agreeable to the account on the other side I have annexed a memorandum which if you will have the goodness to furnish and forward as soon as you possibly can as the season is far advanced I will make you payment for the same agreeable to your terms for the Hats &c You will please to put them up safely and send them to Mr McGevach Lachine

6 lbs Verdigrease

1 piece of glazed black hat binding 2nd quality

2 gross black galloon 1 bottle aqua fortis
½ drab do
½ hat buckles 1 superfine white bonnet 23 inches
3 back hat bands inside
1 lb pumice stone
½ doz hat bow strings.

FROM HUGH ALEXANDER TO JAMES SINCLAIR

Fort Erie Oct 23 1811

Mr James Sinclair[3]
Dear Sir

When you was at this place I mentioned to you my expecation of making different arrangements with respect to the Chippewa I have therefore made a purchase of the said vessel and will accordingly make arrangements in season for proper persons to sail her the ensuing season

I have therefore to request of you to let me know whether you are at liberty to engage next spring and if so what your lowest terms will be for the same to sail her as master to commence say the first of April and continue the season — the vessel as you know is a good new one and I hope will be well man'd which to you if you take the command will be considerable of an object You will therefore make your terms as reasonable as possible as the vessel will not admit of heavy expense — you need not mention what I have wrote you as it might cause others to think hard my giving you the preference

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Oct 24 1811

Dear Sir

Yours of the 21st rec'd also one from Mr Kerby to the same effect respecting your goods which came to this place I am extremely sorry it was out of my power to have the Chip go to Long Point as I intended The reason was that she was completely filled with stuff positively engaged before and prior to my purchase excepting a few heavy articles which had to be put in her hold on account of so much deck loadings to make her safe However agreeable to your request I have fitted out an excellent batteau with Archibald Thompson Conductor with those articles which I supposed you were most in need of and also such articles that might be landed should occasion require I have sent very few of Dr Rolph's articles as they were chiefly heavy articles and as I expect the Chip at this place next week

should the wind and weather permit I will then send her immediately with all the remaining articles at this place

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[3] Afterwards a second lieutenant and pilot in the provincial marine on Lake Erie

P.S. I have sent twice over the river in order to get—— to go to your place But could get none However I hope the boat will arrive safe

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Nov 7 1811

Robt Gillespie

Dear Sir

Yours of 20 Sept I received the 4th inclosing invoice of sundry goods say horn glass &c which came to hand the same time I have also received the goods forwarded to Lachine while I was in Montreal and which I find all agreeable to the invoice with the exception of three articles amt £3 17 1 Hfx as you have on the other bill With respect to the butter I am sorry any difference should occur in the weight However when season will permit please send the amount of sales as then I can have recourse on them I purchased i from the quantity different

Sept. 27 1811
Mr Robt Gillespie
To Hugh Alexander Dr

	£	S	D
To 2 doz wood rasps at 14/6	1	9	0
½ " horn at 16/	0	8	0
	1	17	0
Advance 42½ per cent		15	8½
	2	12	8½
½ doz knit wool braces at 32/6	1	4	4½
Hfx C.	3	17	1

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Nov 15 1811

Robt Nichol Esq

Dear Sir

Enclosed you have an account of 84 pieces of your goods the whole number at this place — the articles you mentioned in your last letter shall be attended to and every article I hope sent the next trip as I shall have to send the vessel once more if the season will permit All your goods except some which

I expect for you has not yet come forward but is daily expected. There is also a number of articles as you will see in your bill which I have taken the liberty to address to your care which please have stored till I can have an opportunity of taking them away. The 25 bbls of salt marked E Hasbrook of Juba Storr and Co. who has a store at Townsend under the direction of C Foster and Co. or Mr Cayl himself you may perhaps know best as you live near them who to inform respecting them the remainder say 40 barrels more will be up next turn

FROM HUGH ALEXANDER TO ROBERT GILLESPIE

Fort Erie Nov 23 1811

Robt Gillespie

Dear Sir

Your kind favor of Oct 12 covering the sale of butter I rec'd yesterday and feel well pleased with you sending it to the Quebec markets. I find by the acct of sales one barrel of butter is yet unsold. If you have not received it please enquire at Messrs Parker Gerrard Ogilvie and Co if they have sold it very well if not you will please appropriate the proceeds to my credit as before. Should Government purchase flour and pork this season I shall make an offer for part of mine at least. However as yet I am not certain with respect to that market as no advertisement has appeared for that purpose. Butter is very scarce at this season. However in the spring I shall pay strict attention to the Quality and packing of that article for your market. You will in your next letter have the goodness to say what you think lard and potash will be likely to bring next spring or if saleable

Colonel William Claus reported the measures he had taken in accordance with his instructions to restrain the western Indians from beginning hostilities against United States in a letter addressed to James Brock then civil secretary to his brother the General

Fort George 9th Decr 1811

Dr Sir

I have to acknowledge the receipt of your letter of the 3rd instant

Agreeably to General Brocks desire to know what steps I had taken with the Supt of Indian Affairs at Amherstburg to use his influence with the Indians to keep them quiet I beg leave to enclose an extract from my letter to him of the 24th ulto in which I desire him to recommend to the Indians Peace and should any attack be made on them by the Americans to retire A copy of Lieut Gov Gore's letter to me of the 26th Feby last Discouraging any hostile measures on the part of the Indians was transmitted to the Supt of Ind Affairs at Amherstburg the 7th of March last with directions to pay the most particular attention to the contents. I have again written to him in consequence of your letter of the 3rd by Bell[1] the shipbuilder who left this yesterday he informed that the report of the Action on the Wabache[2] was not believed in when he left Amherstburg the 1st instant

P S The enclosed copy of a letter from Colonel Elliott which I rec'd two days ago I beg you will lay before Genl Brock dated 24th ulto

(Dominion Archives S Indian Affairs, U C. 1810 1813)

Some letters from the enterprising Benjamin Canby have escaped destruction

FROM BENJAMIN CANBY TO CHARLES ASKIN

Friend Askins

Dont delay in geting a line to york Respecting the reserve I met Holly on his way Down to Isac Sweasys He inquired of me whether the Governor had left Newark yet I informed him he had I beleave his business in geting Isaac Swesy to aply for the same land for him so that William Dixton should right immediately so as to get the start it would without a doubt put a stop to it I remain yours

BENJ CANBY

fifteen mile creek

Tues Day morning

Addressed.—

To
Charles Askin
Marchant
at Queenston

(Askin Papers, Canadian Archives undated probably 1811)

FROM BENJAMIN CANBY TO CHARLES ASKIN

Canbury 24 Oct 1811

Friend Askins

according to William Leans request I have sent the boat

---

[1] William Bell foreman or master builder of the naval yard at Amherstburg 1812 1813 [2] Generally called the Battle of Tippecanoe 7th November 1811

Down which will be a convenient chance for your goods to be conveyd they brought your salt and Iron from contons took from the mills 10 Barrels Potash please to not neglect feching up your Surveying instruments likewise a grind stone I purchasd from Squire Cowan thats if the boat will conveniently take it for it is much wanted I remain your Frend

BENJ CANBY

N B I understood from Garner from Leans that you had a man Coming up to help Down the boat but he has not arivd yet please to right to Gorge Kefer not to Delay running out the road as the overseers is Detained from working on that head until he lays it

Addressed —Charles Askin
Marchant
at Queenston

(Askin Papers Canadian Archives)

After carrying on his business for some months at Queenston Charles Askin removed to Canboro where he organized the militia of that township and Haldimand having Benjamin Canby as a subaltern As the following letter indicates he undertook the management of a mill which had been built by Canby on a small creek falling into the Chippwa

FROM JOHN CLARK TO CHARLES ASKIN

15 Mile Creek 21st Decr 1811

Dear Sir

Having understood there is a person in your employ named Rouse a Millwright — if you can possibly spare him for a week or two will you have the goodness to allow him to come down and assist in finishing a Grist Mill that I have lately purchased— I have wrote to him on the subject and trust that you will use your influence with him on my part

Hoping that you find your country residence pleasing and that we shall see you this way soon I am

yours Truly

JOHN CLARK

Charles Askin Esqr
Addressed —Mr Charles Askin
Merchant
Canborough

(Askin Papers Canadian Archives.)

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NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake, Ontario

No. 42

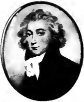
RECORDS OF NIAGARA in the days of Commodore Grant and Lieut.-Governor Gore

1805 - 1811

Collected and Edited
by
BRIG. GENERAL E. A. CRUIKSHANK

LIBRA
JAN 15 1932
UNIVERSITY OF TORO

Published by the
NIAGARA HISTORICAL SOCIETY
1931



CAPTAIN WILLIAM CLAUS
(Aged 27)

Superintendent General
Indian Affairs
1805—1826

NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No. 42

1805 - 1811

Collected and Edited
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1931

RECORDS OF NIAGARA

1805-1811

The sudden death of Lieut Governor Hunter at Quebec on 21st August 1805 left the government of Upper Canada without a chief as he had steadily refused to nominate an administrator during his absence in the Lower Province News of his death was received at York about ten days later When Simroe applied for leave of absence on the 1st of December 1795 he had recommended Hon Peter Russell as the senior Executive Counsellor (not a Roman Catholick) for appointment as administrator and his recommendation had been approved He called the members of the Council residing at York together at once expecting to be recognized as president but to his great surprise and disappointment found that Chief Justice Allrock announced his opinion that Alexander Grant whose name preceded that of Russell in the list of Executive Councillors named in the royal instructions was the senior although Russell had taken the oath before him The other members of the council concurred and Russell reluctantly assented but did not conceal his discontent at being required to act in a subordinate position to that which he had formerly held As Grant was then senior naval officer on Lake Erie and lived at Amherstburg a message was sent to him to come to York and administer the affairs of the province When Hunter s death became known in England little time was lost in appointing Francis Gore then governor of Betmuda to succeed him as Lieutenant Governor of Upper Canada His commission was dated on the 22nd of January but he did not assume the administration until the 25th of August following

Grant s term of office consequently lasted a little less than a year He seems to have carefully consulted the council in all matters of the least importance and Russell generally took the chair as presiding councillor The chief justice was soon after transferred to Lower Canada and Justice Thorpe who had recently been transferred to Upper Canada from Prince Edward Island began to intrigue and make complaints to the Colonial Office stating that there was no governor no general no bishop and no chief justice in the province and owing to a cabal the Council had selected a man to act as administrator who did not appear to be the oldest member and was inefficient Both he and Justice William Dummer Powell who was his senior applied for the vacant office of chief justice There was a noticeable lack of good feeling amoung the chief officials The following petition shows that the act regulating the sale of spirituous liquor had caused some local discontent

THE PETITION OF LANTY SHANNON AND OTHERS

To the Honorable Provincial
Parliament of Upper Canada

We the subscribers Inhabitants of the said Province and faithful subjects to His Majesty and at all times ready and willing to support the operative laws in his Dominions and being possessed of that inalienable right of free men to make known to our law makers and rulers such grievances as we may think we labour under do beg leave under mature consideration and confidence of the truth and propriety thereof to most humbly suggest to Your Honors that the law of said Province prohibiting distillers selling any of their distilled liquors under three gallons is not so happily calculated as in our opinion may be for the general good of His Majesty s subjects for many are under a necessity at times for some of this liquor but either for want of abilities or from principles of prudence are prevented from receiving those comforts of the country to which their hand labour entitles them

We beg leave further to suggest that no detriment can accrue to the revenue by giving the distillers license to sell one gallon as in our opinion few retailers or inn keepers would have any objection to an alteration of said law

The limits of this Petition will not give an opportunity to state all the reasons in support thereof which will actually be in your possession

We therefore most humbly pray that Your Honors would take this subject into your wise consideration and repeal said law in such a manner that the distillers may sell one gallon or otherwise order and direct so that the law touching the same may be as all laws should be for the general benefit of the public weal and as in duty bound we shall ever pray

LANTY SHANNON Inn keeper
EZEKIEL WOODRUFF
SAM L VAN WICK Inn Keeper
JOHN FRALICK
his
JOHN X CAMP
mark
and fifty six others

The promoters of this petition were residents of the township of Stamford of which Ezekiel Woodruff was clerk continuously from 1797 until 1819 This petition and the one following are undated but were read in the Legislative Assembly on the 12th February 1805

Another petition from residents of the townships near the head of Lake Ontario voiced what seems to be well founded dissatisfaction at the administration of the act for the improvement of public roads

THE PETITION OF INHABITANTS OF THE DISTRICT OF NIAGARA

To the Honorable the Legislative Council and House
of Assembly for the Province of Upper Canada

Humbly prays

That the Legislature may at their next meeting take into their serious consideration the laws respecting highways and roads throughout this Province and make such alterations or amendments to the same as to them in their wisdom may appear meet Your Petitioners beg leave to intimate that under the existing law it is difficult to determine which are really and legally Highways the Commissioners being frequently divided in opinion with respect to the construction to be put on said laws and from the circumstance of the Justices of the Peace being all Commissioners of the Highways and Roads and nothing mandatory or compulsory on them to act when required and as it would be unfair that those gentlemen who do sacrifice much of their time to their duty as Justices should be forced to leave their homes for days in acting as Commissioners without an adequate allowance being made them for their trouble and expense and as many of those gentlemen would probably not wish to act in the line of Commissioners

Your Petitioners are therefore of the opinion that it would tend to the ease of the Inhabitants and the welfare of the District to have a certain number of disinterested persons to be

overseers or Commissioners of the Highways in each and every District and that an allowance should be made them from the different District Treasurers to be raised by a tax for that immediate purpose making it compulsory on them on all occasions when thereto required to lay out alter or amend any road or roads throughout their respective District or Division However all this is submitted to the Honorable the Legislature for their consideration which Your Petitioners pray may meet with due and mature deliberation

And your Petitioners as in duty bound will ever pray
John Pettit
Levi Lewis
Richard Griffin
Wm Kennedy Smith
and fifteen others

John Pettit resided in Saltfleet Richard Griffin in Grimsby and William Kennedy Smith in Blenheim Levi Lewis was elected one of the members of the Legislative Assembly to represent the first riding of Lincoln and the county of Haldimand at the general election in 1808

The removal of the offices of the provincial government from Niagara to York had diminished the importance of the town but it still continued to be the headquarters of the officers commanding the troops and Fort George was the principal military post in the province From 1796 until the end of August 1802 the garrisons of the frontier posts were furnished by the second battalion of the Royal Canadian Volunteers They were then taken over by the 49th Regiment commanded by Lieutenant Colonel Brock which a few years later was relieved by the 41st under Lieutenant Colonel Henry Procter succeeded in turn by the 100th temporarily under command of Major Christopher Hamilton William Claus had succeeded Alexander McKee as deputy superintendent general of Indian affairs and continued to reside at Niagara where councils with the Six Nations and Missassaugas were some times held

Small detachments of soldiers were stationed at Queenston Chippawa and Fort Erie for the protection of stores and to conduct their transportation between the lakes

Some letters from Hon Robert Hamilton to his father-in-law, John Askin of Strabane near Sandwich have been preserved and contain some information of historical interest

From Robert Hamilton to John Askin

Dear Sir

This will be handed to you by your Grandson Robert, my eldest boy[1] now on his Way to Mackinac to spend a year and live with my kinsman, Robert Dickson

You Will perhaps be surprised at my sending my eldest son into that Country but the young Man Wishes it—And I do think the field a very fine and certainly a very large one for Mercantile Speculation—He may remain a few days at your place until a vessell shall sail for Mackinac and in directing him to make your house his head Quarters I am convinced I do not exceed in using freedom with you—

Mrs Hamilton requests to join me in best respects to Mrs Askin & all your pleasant family

I am Dear Sir
yours very sincerely
R Hamilton

John Askin Esqr

Queenston May 16 1805
(Askin Papers Canadian Archives)

The preface to a book rather cumbrously entitled "Travels through the Canadas containing a Description of the Picturesque Scenery on some of the Rivers and Lakes with an account of the Productions Commerce and Inhabitants of those Provinces to which is subjoined a Comparative View of the Manners and Customs of several of the Indian Nations of North and South America By George Heriot Deputy Post Master General of British North America Illustrated with a Map and Numerous Engravings from Drawings made at the Several Places by the Author" is dated at Quebec on 26th August 1806 His visit to Upper Canada appears to have been made about a year before and a handsome quarto edition of his book was published in London in 1807

His description of what he saw of the Niagara District is fairly full and interesting as he was a careful observer

On the western bank about a mile higher up the British fort is situated on ground several feet higher than the last [Fort Niagara] It is likewise constructed of earth and cedar pickets, and the buildings contained in it are executed with much neatness taste and accomodation On the border of the river and beneath the fort there are several buildings consisting of store houses and barracks one of which is called Navy Hall and is contiguous to a wharf where vessels load and unload A swamp in the vicinity becomes at particular seasons from the stagnated vapours exhaled from it prejudicial to the health of those whose residence is by the river and sometimes to that of the troops in the garrison A plain whose extent in every direction is nearly a mile intervenes between the town of Niagara and Fort George the name of the fortress already described The houses are in general composed of wood and have a neat and clean appearance their present number may amount to near two hundred The streets are spacious and laid out at right angles to each other so that the town when completed will be healthful and airy On Missisague Point which is on the west side of the mouth of the river a light-house for the guidance of vessels which navigate the lake has lately been erected Near this point white fish and black bass are caught in great numbers

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[1] Born at Fort Niagara in 1787 member of the Legislative Assembly for the third riding of Lincoln 1820 1824 died in 1856.

In proceeding from the town of Niagara to the south ward along the banks of the great river many attractions combine to present pleasure and amusement to the mind of the observant traveller The soil the variety of situation and the improvements of that part of the country seem to surpass every impression which information alone might produce in its favour The population is already considerable and is rapidly augmenting Families from the United States are daily coming into the province bringing with them their stock and utensils of husbandry in order to establish themselves on new lands invited by the exuberance of the soil the mildness of the government and an almost total exemption from taxes These people either purchase lands from the British subjects to whom they have been granted or take them upon lease paying the rent by a certain portion of the produce

'Many farmers from the neighbouring states who are wealthy procure grants of their own and taking the oaths of allegiance become subjects of the crown of Great Britain

Men born and educated in the northern states of America are of the greatest utility in the settlement of a new country as they are endowed with a spirit for adventure activity industry and perseverance rarely to be equalled Nor are they deficient in the power of inventive faculty particularly when applied to mechanical objects In travelling the waggon is by many made to serve the end not only of a house during the journey but likewise of a vessel to cross the rivers which are not fordable The seams of the body are secured against the admission of water and when applied to the latter purpose the wheels are taken off, it is conducted by rowing to the opposite shore and the horses and cattle are made to follow it by swimming The settlers who bring into the province the largest property in money and stock generally come from the back parts of Virginia and even from the Carolinas

In the use of the axe the Americans display uncommon

dexterity and hew down the largest trees of the forests with admirable address and expedition Retaining no attachment for any particular situation an American farmer who is not of the first class will sell his lands, after having cleared and brought them to a state of cultivation if he can procure for them a reasonable profit for his toils He then decamps launches into the woods in quest of a new possession and erects another habitation

The immense tracts of woods filled with oak timber which every where present themselves are certain indications of the fertility of the soil The common produce of the fields is in general from thirty to forty for one in wheat or any other grain and portions of land which have for upwards of sixteen successive years yielded their harvest without the aid of manure with forty to one to reward the industry of the husbandman

The winters in this part of the country are inconsiderable either for duration or severity the snow seldom remains on the ground for a longer period than five or six weeks.

About the year 1800 before the means of transport to the lower province became facilitated and improved the inhabitants were at a loss to dispose of the produce of their farms Since that period many thousand barrels of flour quantities of salted beef and pork butter and cheese pot ash, and numbers of live cattle have annually been conveyed to Lower Canada through the rapids and cascades of the Saint Lawrence upon rafts of timber containing from five hundred to eight hundred barrels each and upon scows a superior species of raft constructed of plank without receiving from the waters any material injury The conducting of that mode of transport although at first difficult and unwieldy has now become more familiar and immense quantities of produce continue to flow every year into the lower province

There are attached to settlements on the borders of the Saint Lawrence advantages of transport superior to those of any inland country in America The soil is unquestionably of the first quality and is sufficiently varied by swells and ridges to take off that sameness of effect which would result from a dead level country Winter wheat is produced with the greatest certainty The grain is heavier and more plump than any that is raised in the territories of the United States except such as border upon this immense river Grass is very natural to this country and cattle fatten in summer upon the wild growth Hemp and flax are produced in great perfection The timber consists of oak pine in all its varieties sugar and curled maple beech basswood hickory black and white ash sassa fras black and white birch elm walnut-tree butternut-tree cherry-tree and a variety of other woods

'The winter season is employed by the farmer in making staves for casks squaring timber or preparing plank and boards all of which may be disposed of to advantage in Montreal In the spring the timber is formed into rafts which are loaded with produce and conducted down the river with great certainty at any period during the summer season without the inconvenience of waiting for a freshet or an increase of water by rains which can have but small influence on so vast a body of water This circumstance alone adds value to the establishments on its borders for on all other rivers except those of the first magnitude they who mean to conduct rafts down their streams are compelled to be ready at the moment of a swell of the waters and if they be so unfortunate as not to be prepared an opportunity of carrying to market the productions of their farms becomes lost to them for the whole year it likewise not infrequently happens with many rivers that the spring freshets are not sufficiently high to render it safe to venture down them The farmer on the Saint Lawrence is assured he can send a barrel of flour for four shillings and a barrel of potash for eight shillings to the ship which comes from Europe

In many branches of husbandry the settlers of this country seem to display a superior degree of skill and fields of corn are here to be seen as luxuriant and fine as in any part of the universe

'The mode of commencing a settlement is by cutting down the smaller wood and some of the large trees collecting them into heaps and burning them Some of the remaining trees are girdled by cutting a groove all around through the bark to impede the sap from mounting and thus deprived of nourishment the branches cease to grow and the leaves decay and fall to the ground After passing a harrow over the soil in order to turn it up the grain is sown the harrow is again used and thus left without any further trouble the newly cleared ground yields a copious increase

'A stranger is here struck with sentiments of regret on viewing the numbers of fine oak trees which are daily consumed by fire in preparing the lands for cultivation

'The houses with few exceptions are here constructed of wood but with a degree of neatness and taste for which we might look in vain among the more ancient settlements of the lower province

The improvements of every description in which for a few years past the province has been rapidly advancing have in some situations divested it of the appearance of a new settled colony and made it assume the garb of wealth and of long established culture The roads in the settled part of the country are in the summer season remarkably fine and two stage-coaches run daily between Niagara and Chippawa or Fort Welland a distance of eighteen miles.

The scenery from Niagara to Queenstown is highly pleasing the road leading along the summit of the banks of one of the most magnificent rivers in the universe and on ascending the mountain which is rather a sudden elevation from one immense plain to another where the river becomes lost to the view the traveller proceeds through a forest of oak trees until he becomes surprised and his attention is arrested by the falls presented to the eye through openings now cut in the woods on the steep banks by which they are confined

Queenstown is a neat and flourishing place distinguished by the beauty and grandeur of its situation Here all the merchandise and stores for the upper part of the province are landed from the vessels in which they have been conveyed from Kingston and transported in waggons to Chippawa a distance of ten miles the falls and the rapid and broken course of the river rendering the navigation impracticable for that space Between Niagara and Queenstown the river affords in every part a noble harbour for vessels the water being deep the stream not too powerful the anchorage good and the banks on either side of considerable altitude

The mountain already noticed is formed by the land assuming a sudden acclivity of upwards of three hundred feet from one horizontal plain to another and extends from east to west for a considerable way the river holding its course through its center and cutting it asunder The perpendicular banks on either side are near four hundred feet in height from the level of the water below to their summit Their strata are similar not only in altitudes but in substance A little way below the bank on which the town is placed there is a spot rising about twenty feet from the side of the river upon whose surface a quantity of stones is placed which appears to have been deposited there for a series of years and which have been evidently formed in currents of water

Since the settlement of the country the river has not been perceived to rise to that height These circumstances seem to afford probable ground for conjecture that the stream which now flows through the deep chasm of the mountain did at some former period throw itself from near the summit and after sweeping away the rocks and soil form its present profound and rugged channel extending upwards of nine miles from the precipice whence the wide and stupendous flood continues now to fall

In tracing the course of the river higher up from Queenstown many singular and romantic scenes are exhibited the whirlpool, which is about four miles from that place is a basin formed by the current in the midst of lofty precipices clothed with woods. Previous to its entering this bay the stream drives with awful roar its broken interrupted waters over a sudden slope upwards of fifty feet in height and thus proceeds foaming past the bed it afterwards takes which being around the angle of a precipitous promontory its weight and velocity oblige it to pass on and to make the circuit of the basin before it can flow through that channel It has apparently made an effort to break through the bank to the westward but the rock was probably too solid The strata to the northward were found more penetrable and through these it has forced a passage A tide rising to the height of two and a half feet and again falling every minute is observable all round the basin this phenomenon may be produced by the impulse communicated to it from the torrent which causes it alternately to swell and to recoil from the beach

This gulph usually contains a quantity of floating timber which continues to revolve in the eddy about once in half an hour and will some times remain in this state for months until it be drawn off by the current At one particular part all floating substances are made to rise on one end after which they are swallowed down by the vortex and for a time disappear

The falls of Niagara surpass in sublimity every description which the powers of language can afford of that celebrated scene the most wonderful and awful which the habitable world presents Nor can any drawing convey an adequate idea of the magnitude and depth of the precipitating waters By the interposition of two islands the river is separated into three falls that of the Great Horse shoe on the west or British side so denominated from its form and those of Fort Slausser and Montmorenci on the eastern or American side The larger island is about four hundred yards in width and the small island about ten yards The three falls with the islands describe a crescent and the river beneath becomes considerably contracted The breadth of the whole at the pitch of the waters including the curvatures which the violence of the current has produced in the Horse shoe and in the American falls may be estimated at a mile and a quarter and the altitude of the Table Rock from whence the precipitation commences is one hundred and fifty feet

Along the boundaries of the river and behind the falls the elevated and rocky banks are every where excavated by sulphureous springs the vitriolic acid uniting with the limestone rock and forming plaster of Paris which is here and there scattered amid the masses of stone which compose the beach beneath

These excavations extend in many places to a distance of fifty feet underneath the summit of the bank

Casting the eye from the Table Rock into the basin beneath, the effect is awfully grand magnificent and sublime No object intervening between the spectator and that profound abyss he appears suspended in the atmosphere

The lofty banks and immense woods which environ this stupendous scene the irresistible force the rapidity of motion displayed by the rolling clouds of foam the uncommon brilliancy and variety of colours and of shades the ceaseless intumessence and swift agitation of the dashing waves below the solemn and tremendous noise with the volumes of vapour darting upwards into the air which the simultaneous report and smoke of a thousand cannon could scarcely equal irresistibly tend to impress the imagination with such a train of sublime sensations as few other combinations of natural objects are capable of producing and which terror lest the treacherous rock crumble beneath the feet by no means contribute to diminish

The height of the descent of the rapids above the great fall is fifty seven feet eleven inches. The distance of the commencement of the rapids above the pitch measured by the side of the island is one hundred and forty eight feet and the total altitude from the bottom of the falls to the top of the rapids is two hundred and seven feet The projection of the extreme part of the Table Rock is fifty feet four inches

The large island extends up the river about three quarters of a mile and the rapids between that and the western banks are much diversified in one situation near the island there is a fall of about sixteen feet in height the vapour from which is distinctly visible Several small islands are formed towards the west side of the river

From a settlement called Birch's Mills on level ground below the bank the rapids are displayed to great advantage they dash from one rocky declivity to another and hasten with foaming fury to the precipice The bank along whose summit the carriage road extends affords many rich although partial views of the falls and rapids They are from hence partly excluded from the eye by trees of different kinds such as the oak the ash the beech fir sassafras cedar walnut and tulip trees

About two miles further down the side of the river at a situation called Bender's an extensive and general prospect of the falls with the rapids and islands is at once developed to the eye of the spectator On descending the bank which in several places is precipitous and difficult and on emerging from the woods at its base a wonderful display of grand and stupendous objects is at once expanded to the view From amid immense fragments of rock and lacerated trees which have descended in the current of the waters the eye is directed upwards toward the falls, that of Fort Slausser being on the left and the Great Horse-shoe fall immediately in front On the right is a lofty bank profusely covered with diversity of foliage beyond which the naked excavated rock discloses itself As the river here contracts to the breadth of about half a mile the fall on the American side becomes nearest to the eye and its waters tumble over a rock which appears to be perpendicular and nearly in a straight line across to the island the curvatures being from the point now described not perceptible The rock is however excavated and at the pitch has been worn from the continued abrasion by the fall into a serrated shape whence the masses of foam pour down in ridges which retain their shape from the summit to the bottom Numbers of stones which have been torn away from the precipice are accumulated through the whole extent below and receive the weighty and refulgent clouds of broken waters which again dash from thence into the basin

The salient groups in which with gradations almost regular the tumbling waters are precipitated excite the awe and admiration of the spectator the eye follows with delight the masses of lustrous foam varied by prismatic hues and forming a wide and resplendent curtain

About half a mile from hence in descending the course of the river and behind some trees which grow upon the lower bank is placed the Indian ladder composed of a tall cedar tree whose boughs have been lopped off to within three inches of the trunk and whose upper end is attached by a cord of bark to a living tree the lower end is planted amid stones It is upwards of forty feet in length and trembles and bends under the weight of a person upon it As this is the nearest way to the riverside many people descend by the ladder led either by curiosity or for the purpose of spearing fish which in the summer are found in great abundance in this vicinity

The spear in use is a fork with two or three prongs with moving barbs and fixed to a long handle The fisherman takes possession of a prominent rock from whence he watches for his prey and when it approaches within his reach he pierces it with his instrument with an almost inevitable certainty

The village of Chippawa or Fort Welland is situated on each side of a river of the same name which here joins the Saint Lawrence A wooden bridge is thrown across this stream over which is the road leading to Fort Erie The former fort consists only of a large block-house near the bridge on the northern bank surrounded by lofty pickets it is usually the station of a subaltern officer and twenty five men who are principally engaged in conducting to Fort Erie the transport of stores for the service of the troops in the upper part of the province and for the engineer and Indian departments After being conveyed by land from Queenstown the provisions and other articles are here embarked in bateaux

There are in the village some mercantile store houses and two or three taverns The waters of the Chippawa are always of a deep brown colour and are very unwholesome if used for culinary purposes They enter the Saint Lawrence about two miles above the falls and although they be frequently broken and rush into many rapids in their course thither they seem obstinately to resist being mixed with the purer waters of that flood and retain their colour in passing over the precipice The foam produced in their precipitation is of a brownish hue and forms the edge of the sheet which tumbles over the Table Rock Their weight and the depth of the descent mingle them effectually with the water in the basin beneath The colour of the Chippawa is derived from that river passing over a level country in many places swampy and from quantities of decayed trees which tinge it with their bark It is also impregnated with bituminous matter which prevents it until it has suffered the most violent agitation and separation of particles from incorporating with the more transparent and uncorrupted stream of the Saint Lawrence

Opposite to the village of Chippawa the current becomes so powerful that no boat can be ventured into it without imminent danger of being swept away and lost in the rapids Between the village and the falls there are three mills the lower for the manufacture of flour the two upper mills which are near to each other and adjoining the road are for the purposes of sawing timber into boards and for manufacturing iron The latter scheme has hitherto failed of success the logs for the saw-mill are conveyed down the current to this situation in a very singular manner They are cut upon the borders of the Chippawa and floated down to its mouth where a reservoir formed by a chain of hog-pens is made to contain them In proceeding downwards in order to avoid being drawn into the vast vortex of the falls small poles have been fixed together from the reservoir to the mill floating at the distance of eighteen or twenty feet from the shores They are retained in their places by poles projecting from the land and thus the chain of poles rising and falling with the waters and always floating on the surface forms a species of canal into which the logs are separately launched and in this manner carried from the reservoir to the mill a distance of more than a mile

'In the vicinity of the mill there is a spring of water whose vapour is highly inflammable and is emitted for a time with a considerable degree of force If collected within a narrow compass it is capable of supporting combustion for near twenty minutes and of communicating to water placed over it in a small confined vessel the degree of boiling temperature

To those who are admirers of the picturesque beauties of Nature it will be almost unnecessary to apologize for the prolixity of description with which the last communication was filled The subject of the latter part of it upon which we have already so long dwelt is at once noble and *unique* Let us therefore attempt to pursue it still further although without the hope of being able to do it justice

The Saint Lawrence at the confluence of the Chippawa is upwards of a league in width and is passed to the opposite shore in boats or bateaux about three quarters of a mile higher up than the village and by the lower end of Navy island The transport of goods by land to Fort Slausser two miles above the east side of the falls was formerly conducted from a place opposite to Queenstown In passing through the cultivated grounds on this border of the river immense mounds of earth thrown up by multitudinous colonies of large black ants are every where observable The rapids on this branch of the river although not so extensive are nevertheless equally beautiful and romantic with those of the western branch A spot at the distance of fifty yards from the pitch affords a most advantageous and pleasing display of a scene which in every point of view is accompanied with sublimity Trees and rocks form the nearest objects and between them and the islands a lively picture is exhibited of broken rapids dashing over the slippery rocks which are hidden beneath the foaming torrents Amid the sinuosities of the pitch a part of the American fall is developed to the view of the spectator and the

Montmorenci fall is exposed about half way down its depth, the other parts of the eastern fall are concealed, whilst a portion of the waters beneath becomes disclosed. The inequalities of the precipice, which have been formed by the current, are here fully discoverable. Several small isles covered with woods appear near the central island and add to the variety of the scene, which foliage of diversified verdure, overtopped here and there by the towering cedar, contributes to enliven and to adorn. The Horse-shoe fall beyond the whole, delights the mind with the rapidity of its movements, and the animated effulgence of its hues. From the station which we have now endeavoured to describe, is afforded the most perfect idea of the crescent formed by the three falls, the islands, and the Table Rock.

"To descend the perpendicular cliff on the eastern bank is attended with difficulty, and with some degree of peril. Few of the roots and vines which formerly hung downwards from the trees, any longer remain. In descending the craggy steep, the adventurer must cling to the rock with his hands and feet, moving onward with great caution. On his arrival at the base of the cliff, he is struck by a development of scenery, yet more awfully stupendous than that which had before been presented to his contemplation. Here nature, agitated by the struggles of contending elements, assumes a majestic and tremendous wildness of form. Here terror seems to hold his habitation. Here brilliancy, profundity, motion, sound, and tumultuous fury, mingle throughout the scene. The waters appear to pour from the sky with such impetuosity, that a portion is thrown back in clouds of vapour. . . . The mind, expanded by the immensity and splendour of surrounding objects, is disposed to give issue to the sensations of awe and wonder by which she is impressed, in ejaculations similar to that of the Psalmist of Israel, 'Great and marvellous are thy works.'

"The huge fragments of rock which have been thrown from the summit of the precipice by the irresistible strength of the torrent, and which have fallen upon each other in towering heaps beneath, suggest to the imagination an idea of what may take place previous to the general consummation of this terrestrial scene, when ancient monuments of marble, under which princes of the earth have for ages slept, shall be burst asunder and torn up from their foundations.

"Can so vast, so rapid, and so continual a waste of water never drain its sources? These are inexhaustible, and the body which throws itself down these cliffs, forms the sole discharge of four immense inland seas.

"The effect produced by the cold of winter on these sheets of water thus rapidly agitated is at once singular and splendid Icicles of great thickness and length are formed along the banks from the springs which flow over them The sources impregnated with sulphur which drain from the hollow of the rocks are congealed into transparent blue columns Cones are formed by the spray particularly on the American side which have in several places large fissures disclosing the interior composed of clusters of icicles similar to the pipes of an organ Some parts of the falls are consolidated into fluted columns and the river above is seen partially frozen The boughs of the trees in the surrounding woods are hung with purest icicles formed from the spray and reflecting in every direction the rays of the sun produce a variety of prismatic hues and a lustre almost too refulgent to be long sustained by the powers of vision

This part of the Saint Lawrence which is called the Niagara river issues from the eastern extremity of Lake Erie and discharges itself into Lake Ontario at the end of thirty-six miles after undergoing the most violent agitations through an interrupted and sinuous channel At its commencement from the former its breadth is not more than half a mile, but it becomes afterwards enlarged and separated into two branches by an island fifteen miles in length The current is powerful and the navigation for vessels is rendered intricate by innumerable hidden rocks In the vicinity of Navy island there are two smaller isles

The western bank between Chippawa and Lake Erie is almost entirely settled and the road is level and in most places good The Americans have on their side of the river a road extending from Fort Slausser to Buffalo creek a settlement which contains several Indian and some white families At a spot called the Black Rock at the lower end of the rapids a fort has been traced and partly constructed within the limits of the United States

Lake Erie is near three hundred miles in length and seven hundred and ten miles in circumference It derives its name from the Eries or Cats a native tribe which once dwelt on its borders The landscape at the entrance exhibits a pleasing variety consisting of water points of land level countries and distant mountains The coasts are cloathed with oak ash chestnut apple and cherry trees The south east shore abounds in game and wild animals The islands which it contains are Bass islands Isle Bois blanc Cunningham s island East Sister Grose isle Middle island Middle Sister Point Pelee isle Saint George s island Ship island Sandusky island Turtle island and West Sister

The old fort on the west side of the entrance into the lake consists of no more than a few houses a block-house of logs with some habitations for commercial people and one or two store-houses A new stone fort in the form of a quadrangle is now constructing on rising ground behind the block house A company of soldiers is usually stationed here, and the men are chiefly employed in assisting to conduct the transport of stores Two vessels in the service of the British government are used in navigating this lake

The bottom of the lake consists of lime-stone rock of a blueish colour with which are mingled many petrified substances animal as well as vegetable The lake is much exposed at its northern extremity to gales of wind which occasion its waters to rise to a very considerable height Vessels are at these periods in some danger of being driven ashore their cables being often cut asunder by the sharp and flinty edges of the rocks which compose the anchorage

At ten miles and a half from the fort in pursuing the northern coast is found a promontory which advances into the water about three hundred and fifty yards and is named Pointe a Beneaut or Abino affording for vessels a safe anchorage in its neighbourhood From hence to the grand river is twenty-four miles a hill in the form of a sugar loaf intervenes and presents a good land mark The townships in the vicinity are rapidly advancing in population and improvement and several water mills have been constructed The Chenette or river Waveney is eighteen miles more to the westward and Pointe à la Birbe now Turkey Point lies about fourteen miles further along the coast In the townships of Woodhouse and Charlotteville which are situated on this part of the lake there is a considerable extent of country thinly timbered whose cultivation is facilitated from the want of underwood It exhibits more the appearance of a royal forest in Europe than that of and American wilderness." pp 150 175

The observations of another traveller who arrived soon after are not less instructive from a different point of view

1 Robert Sutcliff, a Quaker merchant residing in Sheffield England made a prolonged visit to North America in 1804 1805 and 1806 on commercial affairs He resided for several months in Philadelphia and travelled extensively in the States of New Jersey New York Maryland and Virginia During this time he kept a careful journal without any thought of publication which was eventually edited and printed for a friend W Alexander at York in 1811 and has become a rare book. In the fall of 1805 he made a leisurely journey through

New York and entered Upper Canada by way of Batavia and Buffalo apparently with the object of seeing Niagara Falls

11th Month 30th After breakfasting at Buffalo Town' he wrote I crossed the Rapids about three miles below Lake Erie These Rapids are a very considerable River being at this place nearly one mile over and conveying a vast body of water which passes in its course from Lake Erie to Lake Ontario I observed as I rode along a number of large fishes that were thrown on shore and saw many ravens hovering about and devouring them In travelling upon the banks of the Rapids for many miles the roaring of the Falls is heard resembling distant thunder Being in Upper Canada which is under our own government it felt to me something like being in England and occasioned a pleasing sensation Here I observed a number of good farm houses the pastures and wheat looked remarkably fresh and green and a large fine herd of cattle were grazing in the fields In conversation I found that many of the inhabitants are of German or French descent In the afternoon I came to Fenning's[1] Tavern at Chippaway a town on the Creek of that name Here is a block-house fortification at which an English garrison is stationed From the windows of the tavern clouds of mist are seen rising from the Falls and the noise of them is so loud that a person seems to be close upon them although they are nearly three miles distant I was informed by several of Fenning's family that the concussion occasioned by the descent of so large a body of water is such, that in a still summer's evening a constant tremor of the earth is perceptible and the loose glass in the windows is so shaken as to produce considerable noise

12th Month 1st I lodged last night at Fenning's Tavern where I had as good accomodation as could be desired in this family I met with a young man[2] who had his education in our society,[3] and is a commissioner or surveyor under the English government for the disposal of lands to new settlers This young man kindly offered me his company and assistance in visiting the curiosities in this neighbourhood However it being first day[4] and there being no meeting near I preferred spending the forenoon alone Therefore immediately after breakfast I walked down to the Falls by myself the tremendous noise with the volumes of spray and mist arising from them being a sufficient guide to the spot The first view of this wonderful cataract is from the principal road which though not the most complete is perhaps as beautiful as any but being from a situation which is level with the river

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1 John Fenning 2 Probably Malcolm Barwell 3 The Society of Friends or Quakers 4 Sunday

above the Falls a considerable part of the cataract is hid from the eye After taking a circuit of about a mile the path leads down a steep precipice which is descended with considerable difficulty and not without the aid of a long ladder placed there by a neighbouring planter as well for his own convenience as for that of strangers Immediately below the cataract the river is confined between two steep rocks that form a deep winding valley through which the waters flow in their course towards Lake Ontario This valley is terminated by a perpendicular rock of 53 yards in height which runs across forming an angle pointing up the river over which this vast body of water precipitates itself with astonishing rapidity and with a noise so tremendous that it can scarcely be described On the top of the rock is a small island which divides the cataract into two parts and in such a manner that the greater part of the water pours over the rocks at the extreme head of the valley and the rest on one side of it A little above opposite Chippaway the river is two miles over but directly above the falls it narrows to about a mile in breadth I was informed by Joseph Ellicot[1] and his brother at whose house I lodged that they had twice measured the falls and found them to be 158 feet in height and about 1800 yards in width from the opposite edges of the river * I was told by the ferryman that about 16 miles above the Falls the river was nearly one mile in width and that in the middle it was 40 feet in depth and in common the stream ran at the rate of six miles in the hour If this be really the case and I have no cause to doubt it the quantity of water passing over the Falls and continually suspended between the top and bottom may be more than 400 000 tons If the additional weight and velocity gained by a fall of 158 feet be added the weight of these prodigious columns of water would exceed three millions of tons. Such an enormous specific gravity falling at once into the gulf below may bring the account of the Falls being heard under favourable circumstances at the distance of 40 or 50 miles within the limits of credibility

'Having reached the bottom of the precipice, and approached as near to the cataract as I could with apparent safety I sat down and spent about two hours in contemplating this astonishing natural curiosity which is said to be the greatest cataract in the world The tremendous roar arising from the Falls added to the awful sublimity of the spectacle of such an uncommon body of water rushing headlong from the rock with the beautiful surrounding perspective altogether form a scene which it is impossible to describe As the morning was bright and clear a beautiful rainbow was constantly observable in the clouds of mist and spray that are constantly rising from the water below Here I held my forenoon meeting and though no words were uttered it could scarcely be called a silent meeting the objects before me loudly proclaiming the power and majesty of the Great First Cause and Creator of all things

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[1] A noted surveyor in the State of New York

* Note This includes both Falls and the intersecting island which is about 150 yards over

In the afternoon I returned to the inn and after dinner was invited by the commanding officer of the English garrison to drink tea with him and his wife and family in the fort I accepted his invitation and spent the evening with them very pleasantly This officer whose name is Tallant[1] had spent some time in Sheffield a few years back and had married his wife at Liverpool she is an agreeable young woman and well acquainted with some friends[2] of Liverpool They had a fine child with them and upon the whole seemed happier than could be expected in such a situation They behaved with great kindness to me and it appeared a gratification to them to entertain an Englishman

12th Month 2d This morning I had the company of W S [3] a minister of our society belonging to Pelham monthly meeting in this neighbourhood He kindly invited me to his house to spend a few days with him but I could not conveniently accept his invitation In the forenoon I paid another visit to the Falls and it being a dark cloudy day, the whole view had a more gloomy and solemn aspect There being none of the glare and glitter of the sunshine the eye could rest steadily upon it and having a pencil and paper with me I took a sketch of the scene

In the evening I came to D P s[4] of Black Creek meeting at whose house I lodged This is a pleasant situation on the banks of Lake Erie[5] and D P s establishment presents an agreeable specimen of a Back Wood family In the room where we breakfasted was a loom for weaving in another apartment were spinning wheels and some of the girls actively platting straw and making it into hats and bonnets for the family In addition to our tea and toast we had excellent broiled fish taken in the Lake where they easily procure great quantities These persons were so situated that in their own family they had the means of procuring nearly all the necessaries and even many of the luxuries of life It was a very beautiful sight to see ten fine orderly children sitting round the table with their father and mother who were still in the prime of life, and living independently of the uncertainties of commerce The eldest daughter appeared to be about 16 years old One of the sons who was but a boy entertained me with an account of his having lately killed a bear as it was in pursuit of his father's hogs The English government in order to encourage the settlement of Upper Canada grant to new settlers 200 acres of land and 50 acres additional for each child reserving to the crown the minerals and the white pines D P gave me the perusal of his grants from which I gathered the conditions Some little expense attends the grants in the fees of office though but trifling and their taxes amount to a very small sum per annum for each 100 acres.

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[1] Captain Joseph Tallon of the 41st Regiment who afterwards was distinguished at the capture of Detroit and the combat at the River Raisin when he was wounded [2] Quakers [3] Perhaps a clerical error for W L William Lundy was a leading Quaker in Stamford at that time

[4] Probably Daniel Pound of Bertie see Papers and Records of Ontario Historical Society XXVI p 273 He brought three children with him into Upper Canada in 1789 and the others had been born in the province.

12th Month 3d I left Black Creek and the morning being clear and calm the scenery around was beautiful After riding about 10 miles on the banks of Lake Erie I came to Fort Erie where I got some refreshment at the inn and proceeding a little further, I got into the ferry-boat in company with an old drunken Indian and his squaw These poor creatures I had seen the morning before at the inn endeavouring to persuade Fenning the landlord to exchange spirituous liquors for a piece of printed calico which the Indian had received as a present from the agent of the British Government in Canada I was glad to observe that Fenning had the uprightness to refuse taking advantage of this poor creature which he might easily have done as the Indian was then in a state of intoxication and scarcely able to utter anything but Whisko the name he gave to spirits I was told in Canada that many thousand pounds per annum are expended in presents to the Indians to ensure their friendship in time of war and that the greater part of these presents are exchanged for spirituous liquors which they use to great excess many times to the loss of their lives and always at the expense of their health (Pp 152 159)

Joseph Brant who had quarrelled with Colonel William Claus superintendent of the affairs of the Six Nations at the Grand River and had been deposed from his position as their representative at a general meeting of the chiefs and principal warriors at Buffalo Creek at the end of March 1805 which he had declined to attend voiced his discontent and resentment by an appeal to the provincial parliament

To the Honorable the Commons House of Assembly
in Parliament Assembled, &c., &c.

THE PETITION OF CAPTAIN JOSEPH BRANT

Respectfully sheweth,

That in the year 1775, when the war between Great Britain and her Colonies had commenced, the Mohawk Nation, always faithful to the cause of the King, took a decided and active part, and leaving their families to the mercy of the enemy brought off the Indian Department through a hostile country into Canada, where their conduct was highly approved by Sir Guy Carleton, who, in a public council with the Indians desired them to take up the hatchet and defend their rights; he then solemnly engaged that we should be remunerated for any losses we might sustain during the war.

Some years after, when it was foreseen that the contest was likely to take an unfavorable turn, we stated our situation to the late Sir Frederick Haldimand, then Governor and Commander in Chief, and requested a confirmation of General Carleton's promise, by which it was understood that the Indians who had lost their lands should receive an equivalent in this country, and at all events have them as fully confirmed as those they were possessed of before the war, and the grant which we afterwards obtained is now before your Honorable House.

The lands thus granted, although from the quantity and situation by no means an equivalent for our losses, we cheerfully accepted, in full confidence that they should be our own property, at least as much so as those we had sacrificed by joining the British Standard at the commencement of the war.

After thus obtaining these lands, which are delineated on the map, which is also before Your Honorable House, we, with the approbation of General Haldimand, settled some white families on the tract (many of whom had served with us) for the purpose of making roads and teaching our people the benefit of agriculture, &c. I am sorry to say that our grievances commenced upon the establishment of the present Government of Upper Canada, by whom it was contemplated to curtail us of a great part of this tract.

Considering ourselves under the protection of his Majesty, it becomes a duty we owe to ourselves and our posterity candidly to state the difficulties we labour under. Divisions have been fomented amongst the Indians by Mr. Claus, the Deputy Superintendent, which may lead to serious consequences. He has taken the most unjustifiable means to destroy our former transactions, for which purpose he brought a party of Senecas from Buffalo Creek, to whom he dictated a paper purporting to make void all we had done respecting the lands in question, although he must have known that these Indians who live within the limits of the United States have, in their present situation, no right to interfere in the disposal of our lands. This will appear by referring to General Haldimand's grant.

We cannot see what interest it can be to the Government to tie our hands in regard to the disposal of our own property, or that Mr. Claus, through the means he has in his power, should disunite us.

That a small spot of ground of so little consequence to the British Nation should become a matter of contention, we cannot suppose to be their intention, but if, unfortunately for us, this should be the case, and if ever this small tract is considered as too large for the former services and losses of the Indians, in God's name let them confirm the one half.

We are aware that all representations of this nature should come through the Indian Department, but as they have long since ceased from paying attention to our complaints, we are under the necessity of appealing to your Honorable House in hopes of obtaining relief through such means as you in your wisdom shall see fit.

In behalf of the Indians.

JOSEPH BRANT,
York, 14th February, 1806. *Agent.*

This petition was read in the Assembly on Saturday, February 22, and Benajah Mallory, the member for Norfolk and Oxford, at once gave notice of a motion to consider it in committee of the whole House on the Wednesday following. It does not appear that he was entirely disinterested in this action, as he had leased fourteen hundred acres of their reserve from the Indians, with the intention of smelting bog iron ore, which was believed to be found upon it in considerable quantities. It was debated in committee on the day named and the next, when a report that "the prayer of the said Petition was entitled to a further consideration, and that it be recommended to the House to take it into consideration early in the next Session of Parliament," was adopted. But when parliament again met the petitioner was dead.

A very daring case of housebreaking and robbery caused considerable alarm and excitement and was brought to the attention of the executive government by a report from an influential local magistrate.

From Robert Hamilton to Alexander Grant

Dear Sir

It is with much Concern that I report to you a most atrocious Burglary allmost accompanied with Murder in the case of Isaac Swayzey Esq the Collector of the public duties in this district & of the assessments of this Township —

On Saturday night the 25th Inst about Eleven oClock soon after the family had gone to sleep the front door of his house was violently forced off the hinges the lock broken & the door laid on the floor—

Mr Swayzey alone lay in the lower Room to which this door immediately oppened and suddenly awakened by the noise he had hardly time to spring from the Bed when he was Violently assaulted by a Stout Man drest in a Blanket Coat with Moccasins & his faced Blacked — With this Man he seems to have had a Violent Struggle & several Blows were given on each side—Mr Swayzes face Neck & body are much brused and he thinks that having had a fair stroke at his Adversarys face with a Chair he cannot have failed to leave the mark of the blow there —During this scuffle two other Men neatly drest as the other as far as Mr S could distinguish but apparently younger or at least smaller were employed in breaking open a Chest of drawers which stood nearly Adjoining to the door—This they seem to have effected by the stroke of an Ax on the sloping Cover or door of the desk which was splitt and broken into two or three pieces Three Bags of Money as Mr Swayzey states stood in the front of the desk these were taken away from one which was open some pieces of silver were scattered on the floor — The Struggle between Swayzey and the first Man still continued — he now however received a stroke on the hind part of the head from one of the others — which he apprehended *was with a Sword* but the appearance of the Wound rather indicated the back of an Ax or some other Blunt Weapon The three Men immediately made off without having spoken a word during the whole affair — Three Weemen were only in the house at this time — A man & a boy who usually sleep there had that afternoon gone to the Mill & did not get back till about one oClock in the Morning — The Weomen sleeped up stairs in a Room the door of which at the foot of the stairs passed from Mr Swayzeys Room They say that they were forcibly detained in this Room or on the stair by the door being shutt or held fast against them — On their getting out the Men were gone & none of them were either seen or heard by the weemen further than in the Struggle in which they could only distinguish Mr S—s voice —

Two Magistrates myself & Doctor Kerr soon happened to be on the Spott soon after the affair happened We Met next Morning with the other Magistrates & most of the Respectable Inhabitants and from all the Circumstances we were led to conclude that the *perpetrators were well acquainted with Mr Swayzey's house & the habits of his family* —We proceeded Accordingly to search all suspected places & to examine such suspicious Characters as we could think of but without Success or any Clue by which to guide our enquirys —

The Manner in which this affair has been Conducted precludes the hope of finding positive Evidence to Convict the perpetrators — Circumstances such as the Mark on the face before mentioned may perhaps lead to discovery And the Evidence of an Accomplice may perhaps be obtained by a promise of Pardon & the hope of Reward — It rests therefore *Sir* with you as president & with the Wisdom of Council to Determine how far this in a Proclamation may be proper or expedient —

We do not doubt but that you will see the Necessity of using every possible means to detect such dangerous Villany and deter such daring offenders to whose Machinations the Country in its present State is so peculiarly exposed —

I am happy to Report that Mr Swayzeys life is not thought in Danger — I have not heard the Amount of his loss ascertained

With sincere Respect
I am Sir &c

R HAMILTON

The Honble
Alexander Grant President &c &c &c

Queenston 28th Jany 1806

(Sundries U C 1806.)

After due consideration by a committee of the Executive Council the President was advised to offer a reward for information leading to the conviction of the offenders

PROCLAMATION

ALEXANDER GRANT Esquire *President Administering the Government of the Province of Upper Canada &c &c, &c*

To all whom it may concern — GREETING

WHEREAS a most daring Assault and Burglary were committed on the Person and in the dwelling House of ISAAC

SWAYZE Esquire, in the Township and District of Niagara, by certain persons in disguise and unknown, on the night of the twenty-eighth day of January last past, by violently assaulting, wounding and bruising the said Isaac Swayze, and by breaking open and feloniously taking and carrying away large sums of Money, from his said dwelling House. NOW KNOW YE, to the intent that such heinous Crimes may not go unpunished, and that the Persons and Property of his Majesty's Subjects in this part of his Dominions may be secure under the protection of the law, I ALEXANDER GRANT, Esquire, President, administering the Government of the Province of Upper Canada as aforesaid, Do, by and with the advice of the Executive Council of the said Province, hereby offer a Reward of SIX HUNDRED DOLLARS to any person or persons who shall make such discovery and give such information, so that the perpetrator or perpetrators of the said crime or crimes shall be convicted of the same. And I do hereby further offer his Majesty's most gracious Pardon to such person or persons as may be accessary or accessaries to the commission of the said crime or crimes, who shall honestly and without fraud discover the principal or principals who hath or have committed the same.

GIVEN under my Hand and Seal at Arms, at York, this eighteenth day of February, in the year of our Lord one thousand eight hundred and six, and forty sixth year of his Majesty's Reign.

ALEXANDER GRANT, President.

By his Honor's Command.

WM. JARVIS, Secretary.

A letter from the clerk of the peace to the private secretary of the administrator throws a curious light on the uncertainty of mail delivery and the considerable cost of portage.

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 8th Mrch 1806

Sir

Your letter and packet of the 25th January 1805 (sic) I yesterday received, have Eight pence Currency postage to Pay on the same — as the Clerks of the Peace have no allowance for Postage or for any other business done by them — it may perhaps be as well in future to pay the Postage at the Office at York and not heap the expense upon the Clerks — although trifling as Eight pence may appear at the Capital yet it is something to a Clerk of the peace with a large family at Niagara — I only [send] you the Out side Covers in order that you may see the post Mark 27th Jany 1805

I have the Honor to be &c

Ralfe Clench

Wm Stanton Esq

Chief Clerk President Office
York

(Sundries Upper Canada 1806)

Under the existing militia act the responsibility for the local organization of regiments and authority to recommend the appointment of officers was vested in the lieutenant of the county who naturally endeavoured to secure the services of the most energetic and influential residents in the several townships

From Hon Robert Hamilton to Hon Alexander Grant

Sir

In consequence of some dissatisfaction and Inconvenience having arisen in the Militia of this County owing to the establishment of a Corps of Artilery which tho recommended & approved of by General Simcoe while Lieut Governor, is not Authorized by the Statute of the Province I have been induced to alter the Sistem and to bring the whole body of the Militia into the general Line

This Alteration with the several Vacancies that have lately occurred require a Promotion and new Appointment of Officers, a list of Which I have now the Honor to submit for your Inspection and for your Sanction by Signature if approven of — I take the liberty to request that this may be sent back by the first Opportunity as I am Anxious to have the Officers of the three Regiments in orders by the fourth of June

With Sincere Respect

I am Sir &c

R Hamilton

Lieut County Lincoln

To his honor

Alexander Grant Esquire
President of the Province
of U C.

Queenston April 28 1806

Promotions in the Lincoln Milatia

Lieut Colonel Ralfe Clench	to be	Colonel
Major Robert Kerr	to be	Lieut Colonel
Major Johnson Buttler	to be	Lieut Colonel
Captain David Secord	to be	Major
Captain James Muirhead	to be	Major
Captain John Mackay	to be	Major
Lieut George Lawe	to be	Captain
Lieutenant William Robertson	to be	Captain
Lieutenant John Powell	to be	Captain
Lieutenant George Turney	to be	Captain
Lieutenant John Crysler	to be	Captain
Lieutenant James McLean	to be	Captain
Lieutenant James Secord	to be	Captain
Lieutenant Daniel House	to be	Captain
Lieutenant James Dawdy	to be	Captain
Ensign George Read	to be	Lieutenant
Ensign Gilbert Fields	to be	Lieutenant
Ensign Martin McClellan	to be	Lieutenant
Ensign Henry Smith	to be	Lieutenant
Ensign Latham Stole	to be	Lieutenant
Ensign Nicholas Smith	to be	Lieutenant
Ensign Frederick Markle	to be	Lieutenant
Ensign David Bastedo	to be	Lieutenant
Ensign George Keefer	to be	Lieutenant
Ensign Jacob Bean	to be	Lieutenant
Ensign Pearce Moore	to be	Lieutenant
Ensign Henry Hixon	to be	Lieutenant
Ensign Joseph Smith	to be	Lieutenant
Ensign Ralph Walker	to be	Lieutenant
Serjeant William Wallace	to be	Lieutenant
Serjeant William Dorman	to be	Lieutenant
John Secord Gentleman	to be	Ensign
George Hamilton Gent	to be	Ensign
George A Ball Gent	to be	Ensign
John Servoss Gent	to be	Ensign
Henry Pawling Gent	to be	Ensign
William Servoss Gent	to be	Ensign
James Hainer Gent	to be	Ensign
Simcoe Stevenson Gent	to be	Ensign

Elijah Secord Gent to be Ensign
Serjeant Robert Brooks to be Ensign
Serjeant Christopher Buckner to be Ensign
John Couke Gent to be Ensign
John C Ball Gent to be Ensign
John MacMicking Gent to be Ensign
Anthony Upper Gent to be Ensign
Lewis Clenent Gent to be Ensign
Serjeant Benjamin Smith to be Ensign
Serjeant Joseph Snyder to be Ensign
John Henry Gent to be Ensign
Robert Pettit Gent to be Ensign
William Hill Gent to be Ensign
Henry Nelles Gent to be Ensign
Alexander Cameron Gent to be Ensign
John Clark Gent to be Ensign
Andrew Roeback Gent to be Ensign
John I Taylor Gent to be Ensign
Daniel Secord Gent to be Ensign

The above List will compleat the Eastern Regiment of the 1st Riding and the Regiments of the 2nd and 3d Ridings of Militia of the County of Lincoln

Thomas Clark Esquire Deputy Lieutenant for the Middle Riding of the District of Niagara

The foregoing List of Officers is to complete Three Regiments of the Militia of Lincoln and is presented to His Honor the President of the Province, and his Approbation is requested by

his most Obedient and
very humble Servant
(Signed) R Hamilton
Lieutenant County Lincoln

Queenston April 28th 1806
York 7 May 1806

Approved
(Signed) Alexr Grant
President

(Sundries Upper Canada 1806)

An effort to compile an estimate of the population of the province met with scanty success owing to the neglect of the township clerks to comply with a recent provincial act

FROM RALFE CLENCH TO WILLIAM STANTON

Niagara 20th May 1806

Sir

Yours of the 1st instant I this day Received and regret much that I have it not in my power to comply with the Presidents Commands The Town Clerks a very few indeed excepted have never yet sent into the Office any annual Acct whatever not more than three or four Townships have been received for Many years past and but One of those (Niagara) agreeable to the Statute

I have the Honor to be &c

RALFE CLENCH
Clerk of the Peace

Endorsed —From R CLENCH
regrets that it is not
in his power to send
an abstract of the
Population

(Sundries Upper Canada 1806)

A letter to John Askin, from his grandson, William Robertson then a merchant at Queenston written at that place on 9th October, 1806,[1] contains a hasty reference to the fatal duel between William Dickson and William Weeks of which he had just been informed

'Ill news travels fast — since writing the above I have heard that Mr Weeks has been mortally wounded in a duel by Mr W Dickson Major or Capt Hunt[2] who was up with you and by the by is said to be a great scoundrel is supposed to be at the bottom of it Judge Thorp also appears much blamed The parties fought on the American side the first Shot took effect & passed through Mr Week's body from the right to the left side but Mr Dickson is not blamed Mr Weeks is much lamented by his friends and every one else

(Askin Papers, Dominion Archives)

The controversy in court between Dickson and Weekes was described in a letter from Hon Robert Hamilton and Joseph

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[1] It has been stated that this duel was fought on October 10 which is apparently an error The entry recording his burial in the register of St Mark's church is dated October 7 [2] Probably Henry Jackson Hunt afterwards a merchant in Detroit.

Edwards who were sitting as assessors with Mr Justice Thorpe at the time addressed to the Lieutenant Governor which is undated but evidently written very soon after it took place

'Sir

The very extraordinary circumstances which have occurred at the last assizes for this District and which have unfortunately led to the death of a Member of the Society we think it our duty as we had the honour to be associated on the bench with Mr Justice Thorpe to state to your Excellency. In a case in which Mr Weekes the Attorney was employed he took opportunity while addressing the Court to introduce the character of our worthy late Governor Lieut General Hunter the Chief Justice Mr Allcock and several others of the most respectable characters in the Government of this Province and to rail against them with the utmost degree of asperity General Hunter he stignatized with the epithet of Gothic Barbarian whom the providence of God had removed from this world for his tyranny and Iniquity

He stated Mr Chief Justice Allcock as having a personal animosity against his present client and as having been the cause of the Indictment being preferred and attempted to turn his character to ridicule by relating idle stories equally (as we believe) groundless and malevolent

The presiding Judge sat with the greatest composure to hear this abuse tho totally irrelevant to the cause then before him if he did not applaud he certainly shewed no serious signs of disapprobation

We his associates indignant at this indecent conduct from the Bar and at the apathy in the Judge would have left the Bench to shew our resentment had not respect for the Court detained us resolving however most determinedly never to be exposed to the like again by declining this and all other duty with this Judge Mr Justice Thorpe had the day before requested the early attendance of the person whose signature is first to this paper assigning as a reason that he understood a very elaborate argument was to be given by Mr Weekes As the argument produced was elaborate only in malice and mis representations we are tempted to believe that the Judge if not aiding in the falsification was certainly previously acquainted with the matter it contained and that it was not delivered without his privity and probable consent

Your Excellency has doubtless been informed that this Mr Weekes has since fallen a sacrifice to his malice and obstinacy here too we fear the interference of the Judge or of his party operated in forwarding the melancholy event We are assured that for some time after Mr Dickson's replication to this speech in which he warmly reprobated such language as disrespectful in the highest degree to a Court of Justice and most probably arising from private malevolence and the rancour in the speaker's mind Mr Weekes shewed no signs of particular resentment to Mr Dickson that he even had left Niagara on his return to York and unexpectedly returned the following morning and gave a challenge from which no reasonable explanation could induce him to recede We have strong reasons for thinking from the conversation of this Party that perhaps some rash promise given when warm produced that obstinacy which proved fatal to him

In the above statement we have carefully recited facts to the best of our recollection In matters of opinion we have to request you to excuse what may appear erroneous

And we are with sincere respect

Your Excellency's most obedient and
very humble servants

R HAMILTON
JOSEPH EDWARDS

(Colonial Office Records Vol 306, pp 83-85.)

Isaac Swayze who then in conjunction with Ralfe Clench represented the second, third and fourth ridings of the county of Lincoln in Legislative Assembly endeavoured to obtain reimbursement for the loss he declared he had sustained by the recent robbery of his house in connection with which it does not appear that any arrest had been made

THE PETITION OF ISAAC SWAZEY

To the Honorable the Commons House of Assembly of the Province of Upper Canada in Parliament assembled

The Petition of Isaac Swazey Inspector for the District of Niagara

Humbly Sheweth

That Your Petitioner has been commissioned Inspector of Licenses for the District of Niagara That in consequence of the power vested in him by law he collected a considerable sum of money for Duties on Licenses issued 5th January 1806

That on the night of the twenty eighth day of January 1806 his House was broken open and he was robbed of large sums of money of his own private property and the public That amongst the said money was the sum of One Hundred and Seventy Eight Pounds Five Shillings and Eightpence Farthing Provincial currency collected on account of Duties on Shop Tavern and Still Licenses issued the said 5th January 1806

Your Petitioner presumes he has always been punctual in his payments, and diligent in the discharge of his duty as Inspector and he believes he will be able to prove to the Honorable House that the said sum was not lost by any negligence on his part

Wherefore Your Petitioner prays that the House will take his case into consideration and grant such relief as they in their wisdom shall think meet and Your Petitioner as in duty bound will ever pray

(Signed) ISAAC SWAZEY

York 19th February 1807

A bill was introduced for his relief which was read a first and second time and referred to a committee of the whole House which reported that further consideration should be postponed until the first week in the next ensuing session which on a division was carried by a majority of five votes fifteen members voting Mr Swazey was then permitted to withdraw his petition with the affidavits annexed to it

Many of the duties which in later years devolved upon the county councils were then in the hands of the magistrates assembled in quarter sessions whose powers were limited by a provincial statute restricting their expenditure

THE PETITION OF MAGISTRATES AND OTHER INHABITANTS OF THE NIAGARA DISTRICT

To the Honorable the Speaker and Members of the House of Assembly at York —

The Petition of the Magistrates and principal Inhabitants living along the road between the Lakes Ontario and Erie and its vicinity —

Sheweth,—

That the Bridge crossing the mouth of the Chippawa Creek upwards of three hundred feet in length is so much decayed as to render the passing unsafe and has twice endangered the lives of passengers and teams by breaking down

Your Petitioners deem it unnecessary to enlarge on the utility (and indeed the necessity) of a bridge Then since it is so well known to many of the Gentlemen in Your House particularly those representing this part of the Province they

presume to say that no road in this district is more travelled than the road above mentioned

The law authorizing the Magistrates in Quarter Sessions to draw on the County Treasurer for the repair of highways and bridges does not allow them to exceed the sum of Fifty Pounds for any one bridge which in the present exigence is far too small a sum

Your Petitioners therefore pray that the Legislative Body will be pleased to authorize the Magistrates of the Niagara District in Quarter Sessions assembled to apply an additional sum of Two Hundred Pounds of the County money to defray the expense of building a bridge across the mouth of Chippawa Creek or make such other provisions as the necessity of the case requires and which in your wisdom shall seem meet

And Your Petitioners will ever pray

JOHN WARREN, SR.
THOMAS CUMMINGS
SAM'L. STREET, SR.
ALEXR. DOUGLAS and others

This petition bears no date but was read in the Legislative Assembly on the 26th February 1807

When the sale of several blocks of the lands composing the reservation for the Six Nations on the Grand River was approved by the Executive Council Hon D W Smith the Surveyor General William Claus their Superintendent, and Alexander Stewart a barrister residing in Niagara were appointed trustees for the management of this business Smith had since removed to England and the responsibility had devolved upon Claus and Stewart causing them considerable anxiety owing to dissatisfaction among the Indians who were divided into contending faction

FROM WILLIAM CLAUS TO WILLIAM HALTON

Fort George 24th March 1807

Sir

I am extreemly anxious to hear what Mr Jarvis intends doing respecting Block No 5 on the Grand River for which he pledged himself on the 4th September last to surrender to the Crown in three months from that date in case he did not comply with the terms on which the lands were originally purchased by him as one of the Trustees I beg leave to say that no one part of that agreement has been complied with to my knowledge I beg leave further to add that such persons are now ready to come forward to purchase that Tract as I am confident will meet the approbation of His Excellency

I am also very anxious to hear how far His Excellency is pleased to approve the arrangement made by the Six Nations in Council 23d September last respecting Block No. 3 formerly purchased by William Wallace as I have been informed that the persons who were recommended at this Council for the purchase of the remaining part of that Township (45 185 acres) will come forward in the course of a fortnight to tender me the money for the same amounting to £5648 2 6 Pro Curry

In my letter to His Excellency 11th Sept 1806 I explained the difficulties & expence attending the mode directed by the Executive Government for the funding of the money arising from the sale of the Indian land which still causes dissatisfaction among them that mode must still be followed by me upon the receipts of the further payments which I look for daily unless altered by the same power that authorised it

I beg that the above may be Submitted to His Excellency the Lieut Governor for his consideration

(Sundries U C 1807)

In 1804, at the instance of the Colonial Secretary, an act had been passed by the provincial parliament for the "encouragement of the growth and cultivation of Hemp within this Province and the exportation thereof" and appropriating one thousand pounds for the purchase of "merchantable hemp" grown in the province at the price of forty pounds per ton by commissioners to be appointed by the Lieutenant Governor Robert Hamilton had accordingly been appointed one of the commissioners by General Hunter and was continued in office by Grant

FROM ROBERT HAMILTON TO WILLIAM STANTON

Sir

I have been much honored with yours of 16th Ins Accompanied with 75 Copies of the Hemp Remarks which I shall endeavour to distribute in this Vicinity so as to meet his Honor the Presidents Wishes —

Tendering thro you to him my best Respects I remain

Sir

your very hum Sert

R HAMILTON

Wm Stanton Esqr

Queenston July 22 1808

(Sundries Upper Canada 1806)

Joseph Frobisher a prosperous merchant in Montreal who was considerably interested in the fur trade with the North West has briefly recorded his visit to Niagara in 1807 in his unpublished journal He was accompanied by Isaac Todd another leading merchant

July 1807

Tuesday 14—Arrived within the Bar at Niagara at 9 oClock in the Evening & slept on Board [the Simcoe Captain Sampson]

Wednesday 15—Breakfasted on Board Dined at Emseys Tavern — Major Short & Capt Roy of 41st Revd Mr Addison & Mr Thomas Dickson Dined with us & in the Evening Rode up to Queenston & slept at Mr Hamilton

Thursday 16 —Went to Niagara & Dined with Mr Jas Coffin & returned in the Evening & slept at Mr Hamilton — N B Mr Todd remained at Home —

Fryday 17—Went to Niagara & Dined with Lt Colonel Procter & returned in the Evening

Saturday 18—Went with a party to see the Falls of Niagara & got down to the Table Rock Rode up as far as Chippawa & returned & Dined on the Road & Slept at Queenston Mr Hamilton

Sunday 19—Remained at Mr Hamilton — Rain all Day

Monday 20—Left Mr Hamilton early for Niagara & got on Board the Duke of Gloucester Commodore Steel by 8 oClock in the Morning & sailed for York which we reached by 11 oClock at Night slept on Board (4 miles from shore)

Tuesday 21—Went on shore — Dined at Moore Tavern and asked to Join the Commodore Grant Judge Scott Mr McLean Mr Chewett & Mr Thomas Dickson

Wednesday 22—Remained at York all Day Dined with Chief Justice Scott & slept on Board the Duke of Gloucester & got under way

Thursday 23—After being becalmed all the forenoon the Wind sprung up about noon & got into Niagara about 4 oClock & Dined at 41st Mess & in the Evening went to Queenston & slept at Mr Hamilton

Friday 24—Mr Todd went to Niagara on Business & I went up as far as Chippawa & found Mr & Mrs Waddengton at the falls of Niagara — they returned with me & we Dined at Mr Thomas Dickson at Queenston

Saturday 25 —Remained at Home all Day

Sunday 26 —Went to Church at Niagara & Dined at 41st Mess with Mrs Waddington & several other Ladys & returned Home in the Evening

Monday 27 —Got all our Baggage on Board of the Simcoe Mr Todd & Mrs Waddington & servants also went on Board & Mr Waddington & myself Rode down to Niagara & Dined with Doctor Kerr — at 6 oClock the Simcoe got down & we went on Board & got under way with a slight Breeze —

Tuesday 28 —A good Breeze all Day arrived at Kingston at 7 oClock in the Evening & slept at Walker Tavern "

After his return to Montreal on July 31 he summed up his journey in the following words

"N B after being absent about 25 days vizt

6½	Days from Montreal to Kingston
1½	do remained there
1	do in crossing Lake Ontario to Niagara
5	do remained at Queenston & Niagara
1	do in Crossing to York
2	do remained there
1	do in Crossing back to Niagara
4	do remained at Niagara & Queenston
1	do in crossing the lake to Kingston
2/3	do remained at Kingston
2 1/3	do to La Chine
25 Days.	

The attack by the British frigate Leopard upon the United States frigate Chesapeake combined with a general feeling of unrest among the western Indians seemed a certain portent of hostilities and caused evident anxiety among merchants everywhere in Canada

FROM THE QUEBEC GAZETTE

Thursday September 3 1807

It is stated in a Pittsburg paper that the British merchants at Michillimakinac refuse purchasing any articles of country produce from the Americans and are preparing to remove their effects from our territory It is further stated that the difficulties with the Indians on that frontier are such as to render it unsafe to travel from Chicago to Detroit by land (To the above intelligence we can add from good authority, that the whole of the Indian nations have offered their services to the British Government in case of war with the United States)

About the same time it was reported and widely believed that General Moreau who had been exiled from France and had taken up his residence in the United States would be offered the command of an army organized for the invasion of Canada

COLONIAL OFFICE RECORDS NOVA SCOTIA

Series A Vol 139 pp 329 330

Halifax Septr 4th 1807

Sir

For the information of His Royal Highness the Commander in Chief I take the opportunity of a Letter Admiral Berkeley will dispatch this day to England of acquainting you that it is generally reported at New York (in the event of War) that General Moreau is to have the command of the American Army he is gone to Canada on pretence of seeing the Falls of Niagara but it is clearly for the express purpose of making himself acquainted with the Country

I have &c
M HUNTER
M G!

Newspapers in the United States continued to publish alarming intelligence from the Indian territory some of which was reprinted in *Quebec Gazette*, a semi official publication

FROM THE QUEBEC GAZETTE

Thursday November 12 1807

New-York Oct 16 to 24

From a Gentleman just from Ohio intelligence of considerable importance has been received that the Potawattomie, Winnanyaw and other Indians to the number of nine hundred, have assembled at Greenville on Mud River Ohio The Colonel of the Militia of that part went to them for the purpose of ascertaining their object and numbers. The Indians refused to give him any satisfaction on the subject He then went to the Prophet and told him if he did not he should inform the government of his country He replied I care not a d—n for you or the government of your country I can blow you off the earth like sand from my hand Six hundred of the Kentucky militia had crossed the Ohio at Limestone commanded by General Scott, and 1500 Ohio militia were required to march for the purpose of dispersing them

It was reported at Chillicothe that seven thousand Indians had crossed the Lakes and that a number of British agents were among them and it was supposed the former were waiting until joined by these others when it was expected they would attack the whites

LEXINGTON TELEGRAPH

NEW YORK Oct 17—A letter from Mr Rathbone Missionary among the Indians says that the Chiefs of the six nations are peaceably inclined towards the United States It appears from the report of the commissioners sent out by the Governor of Ohio that the Indians near Greenville are not hostile The Prophet is said to preach peace being thus taught not by man but by the *Great Spirit* Blue Jacket in a talk addressed to the commissioner stated as their chief complaint that the government agent at Fort Wayne (Mr Wells) was disliked

FROM THE QUEBEC GAZETTE

Thursday December 24 1807

Extract of a letter from a respectable citizen of the U S captain of a trading vessel on Lake Erie dated Fort Erie Roads October 23d 1807

The British have armed all their vessels on this lake viz the Camden Snow of 18 guns the Gen Hunter a brig of 10 guns and all their merchant vessels On Lake Ontario as I am informed, the Duke of Kent a snow of 18 guns a ship the Toronto of 24 guns and the Governor's yacht the latter a few days since exercised her men and guns alongside the brig Adams

Should hostilities actually take place between the U S and G Britain the posts of Michillimackinac and Chicago it is most probable would be the first places the British would strike to expose a more extensive frontier to the Indians whom they are tampering with to obtain an alliance

The appointment of an experienced officer on the half pay list of the regular army who was also a member of the Executive Council as adjutant general of militia had considerable significance

FROM THE QUEBEC GAZETTE

Thursday January 14 1808

YORK, U C —His Excellency the Lieut Governor has been pleased to appoint Lieut Col Aeneas Shaw to be Adjutant General of the Militia forces in this Province

Departed this life on Tuesday the 24th ult Capt JOSEPH BRANT aged 65 years

A few immigrants from the British West Indies and some even from Saint Domingo had arrived in Upper Canada and this seems to have encouraged others to contemplate following them

FROM ROBERT NICHOL TO WILLIAM HALTON

Niagara May 14 — 1808

Sir

I have just received a letter from a Gentleman of very considerable property in the Island of St Vincents stating it to be the intention of himself and several other Gentlemen in that Island to Come to this Country with the view of settling in it — and requesting me to say — to what extent persons of his description might expect to receive Grants of Crown Lands on their arrival in the Province — The Gentleman is an European and of undoubted loyalty and as this Province may eventually benefit by the Migration to it of such Characters — I am anxious to transmit to him the most Correct information in my power and if possible from an Official Source —

Doctor Kerr who is the bearer of this has been written to on the Same Subject and can give His Excellency the Lieut Governor more Satisfactory Accounts of the Gentleman in question

(Sundries U C 1808)

The movement of regular troops of the United States army to reinforce the garrisons of their frontier posts and the arbitrary seizure of boats laden with goods for the Indian trade by the collector of customs at Fort Niagara seemed to portend a declaration of war and naturally increased alarm and led to vigorous protests from their proprietors supported by the Lieutenant Governor and the Governor General

FROM ROBERT NICHOL TO BRIGADIER GENERAL BROCK

Niagara May 21 — 1808

My Dear Sir

Conceiving that in the present State of our Affairs with

the United States it might be desirable for His Excellency the Commander in Chief to have early and correct information of any Movement of the American Troops on our Frontiers — I have conceived it to be my duty to State to you that I have received intelligence that can be depended upon that strong reinforcements of Troops of the line have been ordered from the interior of the United States to the posts of Detroit & Michilimackinac and that a detachment of these amounting to upwards of a hundred Men has already Arrived at Presqu'isle on Lake Erie — I have Conversed with the Captain of the Vessell Chartered to Carry them up — My reasons for being so forward to report this to you is that the sudden Collection of a large force at the present time in those places might very materially affect our intercourse with the Indian Nations and dispose them to Commit hostilities on our distant Settlements before we could afford them the necessary protection — While writing a most unpleasant circumstance has taken place which is I think strong evidence of the hostile intentions of the United States —

Twenty Boats belonging to the North West and South West Companies — Navigating Lake Ontario under the faith of the Treaty of Amity and Commerce — were this Morning fired upon by the American Garrison and Seventeen of the Twenty Captured — the remaining three Made their Escape to this Side — it is unnecessary for me to say More on this Subject as I presume a correct Statement of the fact will be forwarded to the proper Authorities —

I write in great haste the vessel being just on the point of Sailing

I am with much respect

Robt Nichol

Brigr General Brock
&c &c &c
Montreal

(C 363 pp 61-3)

From Robert Hamilton to Captain Leonard

Queenston May 23rd 1808

Sir

After the conversation I had with you on Saturday on the subject of the Goods now Seized and forcibly detained at your Post the property of the Mackinac Company and solely intended for the Trade with the Indians I think it my duty

to state to you *in this way* the following facts — That however the matter may terminate you may not have it in your power to say that you were uninformed of them — Most probably this statement may be laid before your Government and mine also

Sir James Craig the Commander in Chief of the British Territories in America did send to the President of the United States, by Mr Gillespie of Montreal a Representation of the state of the Indian Trade in the interior parts of this country and of the danger to be apprehended from the Indians of those parts were they prevented from receiving their usual Supplies — Mr Gillespie has returned to Montreal perfectly satisfied that this Representation would be attended with the best effects and having assurance given him that the Indian Trade should not in any way be affected either by the Nonimportation or the Embargo Law and in confirmation of these assurances having been given him we see in the last Supplementary Act on this subject the 15th Section of which most compleatly replaces this Trade in the situation it was in prior to the passing of any of these Acts — As you have this act in your possession I do not trouble you with a Repetition of the Clause referred to — But as you must observe in it full liberty is given for the importation of British Merchandize into the United States for the purpose of Trading with the Indians surely it is absurd to suppose it meant to interdict the persons employed in the Transport of the Goods from touching on the American side of the River or Lakes not for the purpose of Trade but solely for refreshment

On Mr Gillespie's return to Montreal the Mackinac Company trusting implicitly to the assurances given him at Washington proceeded to dispatch the boats usually employed in this Trade and directed the men to pursue the usual Rout along the south side of Lake Ontario as being the safest and shortest and as being the rout the Canadians were best acquainted with

They came unmolested until they reached the mouth of the Niagara River — where in the Waters which divide the two countries they were assailed by a Military force from the Garrison you command — Brought forcibly on shore the Boats and Goods siezed by a Collector at your Post and the men thus forcibly deprived of the property they had in charge compelled to leave it and their Boats and to cross the River in the best manner they could without the means of prosecuting their Voyage or of returning back from wheare they came —

What you Sir as Commanding Officer may think of in forcing these very strong measures by the aid of your Musketry loaded with Ball some of which reached the houses on the

British side of the River and this against unarmed Men who did not understand your Language nor could conceive your wish *I cannot say* — But had any fatal accident arrisen from this unnecessary exertion of your power — We cannot help thinking that it might have had a very *serious personal consequence to yourself*

This much for the Facts that have passed The Evil that has been done may yet be remedied by giving up the Goods and permitting the men in their boats to prosecute their intended Voyage

If you or the Collector are in any doubt with regard to the Quality of the Goods or their destination for the Indian Trade — this shall be ascertained to you by any proof you can in reason require — If you wish for any security that these Goods shall be delivered at the places of their original destination without change or defalcation I here offer it to you to any extent you can possibly in reason demand —

Should these Goods be detained until your Collector can make his Report and receive an answer from Washington the intention of the Voyage is compleatly frustrated — The Goods may just as well be detained Eight Months as Eight Weeks and this is the time you admit an answer may be expected by the Post — As by such delay an absolute impossibility arises of reaching with them in this Season the different inland Trading Posts for which they were intended

Neither you nor I can doubt after reading the 15th Section of the Act of Congress above referred to But that these Goods will be instantly ordered to be delivered back and will you assist your Collector in detaining them contrary to an express law of your own country with the certainty that their detention can produce no sort of good or advantage either to you or to him but must be attended by incalculable loss to the other party?

I address this to you as I am well assured your advice to the Collector will have full effect in determining his conduct

I am Sir &c

R HAMILTON

Captain Leonard

Commanding the Troops of the

United States Fort Niagara

From Thomas Clark to Bleakley and Pothier

Kingston May 24th 1808

Messrs Bleakley & Pothier

Gentlemen

Ere this reaches you will have learnt by Mr James Crooks that eight of your Boats going round the Lakes have been stopped and seized by the American Custom House Officer at the Garrison of Niagara on Saturday last Mr Hamilton and Mt Thomas Dickson being then at Niagara went over to the Garrison and entered a protest against the Collector's conduct — the Collecter said his reasons for seizing them were because they had not regularly entered and reported in passing — On Saturday evening when I first heard of their seizure I learnt that nine Boats were still behind and that the Americans had sent down the Lake to intercept them I immediately got a Boat and with some of my acquaintances went down the Lake in the night and had the good fortune to fall in with them first, about 18 Miles below Niagara Fort and had the good luck to bring five of them along with us to this place the other 4 having escaped us last night and went ashore from fatigue not having stopped since I first found them at the 18 Mile Creek I however think they will arrive this evening and escape the crew of the Niagara Collector who followed us near 100 Miles. I brought La Belle along with me from Niagara, who will conduct the Boats round the north side of the Lake — At my return to Niagara I will dispatch the three Boats that escaped to Sandwich as also the nine when they arrive, distributing amongst them the crews of the 8 Boats that were seized presuming that you will require all the men to send into the Indian Country

Finding a vessel at this place just going off to Niagara I return with her not having been here *two hours*, when I get home every effort shall be made to get the Goods and Boats released in the meantime I think you will do well to apply at Washington for their being delivered up

I am Gentlemen
Your very obed Servant
(Signed) Thomas Clark

From Captain J. Leonard to Robert Hamilton

Fort Niagara May 24th 1808

Sir

I have the honor to acknowledge the receipt of your Letter of the 23rd Instant

From my Military Situation I think it would be highly improper on my part, to go into the discussion of the principles which governed the United States Collector at this Post in the seizure made by him on Saturday last of the Goods boats &ca stated by you as belonging to the British Mackinac company

I must beg leave however to observe that my reply must be only conformable to the observations I made you on the day of the Seizure in the presence of James Muirhead and Thomas Dickson Esquires of Upper Canada and Doctor Joseph West of the United States Army — That the proceedings were under the direction of the Civil Authority of the United States

In answer to that part of your communication which calls in question the propriety of my Military Conduct as Commandant of this Post — I feel myself bound, from the expression contained therein to observe that the laws of my country exact from me a Sacred regard to its Civil Institutions, and a prompt and ready obedience to its civil authority and that under these impressions and from mature Reflection and deliberation and under the proper application of the Collector at this Post I did conceive it my bounden duty to call forth such part of my Garrison as I presumed commensurate with the object in view

I am Sir &c.

J Leonard

To
The Honble
Robert Hamilton
Queenston

From Robert Hamilton and Thomas Dickson to Lieut Governor Gore

Queenston May 25th 1808

Sir,

Acting as Agents for some of the Merchants in Montreal engaged in the Peltry trade with the Indians in the interior parts of this Country we think it our duty to state to your Excellency a circumstance that has taken place in this Quarter which threatens to be prejudicial in the highest degree to that body in general but particularly to those of them trading under the Firm of the Mackinac Company

In consequence of the Arrangements made this Spring at

Washington with the Government of the United States thro' the Agency of Mr Gillespie a Merchant of Montreal and from which originated (as we suppose) the 15th Section of the last Supplementary Act regarding the Embargo — This Company fitted out and dispatched by the usual Route of the Lakes Twenty Boats laden with Merchandise solely intended for the Indian Trade and consisting of the usual Annual Supplies for these Nations.

On the 21st Instant these Boats were stopped in the Waters which divide the two Countries by a Military armed force from the Garrison of Niagara Eight of them forcibly taken in Shore were seized by the Collector of that Post — The Goods unladen and Carried into the Fort — and the Men compelled to abandon the Boats and Cargoes committed to their Charge were turned adrift, to cross the River to the British side in the best manner they could

We went on hearing this to the Collector at the American Post to inquire into the reason of this extraordinary Measure — We could only learn from him that he had Seized the Boats and the Goods because the Men had attempted to pass a Port of Entry without making a Report a Form we believe only required by the last Supplementary Embargo Act of which these people could have no knowledge a Thing never before demanded from Boats in this trade and to which the Canadians who alone navigated these boats are perfect Strangers

The Commanding Officer on application being made to him declined all interference — having only Acted (as he says the Laws of his Country direct) in Aid of a Collector

Thus situated it was thought expedient to state to him the Commanding Officer *in a Letter* the whole circumstances of the Case offering to him the fullest proofs of the Quality of the Cargoe he could require and tendering to him the amplest Security for the delivery of these Goods at the place of destination and for the sole purpose of the Indian Trade that he could demand A Copy of this Letter as also of the Commanding Officer's Answer we now have the honor to enclose — We have also Joined in a Protest against the Conduct of the American Collector delivered in as formal a Manner as our Situation would admit

Three of these Boats came on Shore on our Side and are with their Cargoes now here — to Nine others that were still behind in the Lake intelligence of the above event has been conveyed and it is hoped they have got back to Kingston but of this we are not yet certain

As the Trade carried on by this Company is of great importance as well to them as to the Inhabitants of this Province And as this extraordinary measure must be Attended with the most serious Inconvenience and heavy loss to all Concerned and as we may foresee but cannot Calculate on the effects it may have on the Minds of the Indians to be thus deprived of their usual Annual Supplies may we presume to hope that your Excellency may deem this an Object worthy of your Attention And that you will have the goodness by a proper Representation in such manner as you may think best to the Government of the United States to endeavour to procure the Restitution of those Boats and Goods for the Company to their Agents here Tho we are well aware that by the loss of time this requires the Object of the Voyage for the present year is totally frustrated — Still the getting back the property may prevent a total loss which most probably will ensue if it is detained for any length of time where now Stored And we would also flatter ourselves that this Representation may have the effect of preventing the Repetition of such Evil in time to come

With unfeigned respect we have &c

R Hamilton
Thomas Dickson

To

His Excellency
Francis Gore Esquire
Lieut Governor — Upper Canada
&c &c &c

FROM RALFE CLENCH TO AENEAS SHAW

Niagara 25th May 1808

Sir

I now enclose to you the return of the officers &c &c belonging to the First Regt of the County of Lincoln Militia I also send List for promotion and appointments for the inspection and approbation of His Excellency the Lieutenant Governor The List of Field Officers at Present doing duty with the Five Regiments within this County I beg also to lay before His Ecvellency and are as follows

Colonel Ralfe Clench

1st Regt Lt Col Robert Kerr Major James Muirhead	Second Riding of the County of Lincoln
2nd Regt Lt Colonel Peter Ball Major David Secord	Laying within the Third Riding of the County of Lincoln

3rd Regt Lt Col John Warren Major Thomas Cummings	Laying within the Fourth Riding of the County of Lincoln
4th Regt Lt Colonel Johnson Butler Major John MacKay	Laying within the Eastern part of the First Riding of the County of Lincoln
5th Regt Colonel Peter Hare Lt Colonel Andrew Bradt Major Richard Hatt	Laying within the Western part of the First Riding of the County of Lincoln

According to this order the Regiment have ever paraded at our parade trainings or Reviews the 1st 2d and 3rd Regiments were first organized under and by virtue of Commands from Lord Dorchester the 4th and 5th Regiments under Lieutenants of Counties Should His Excellency the Lieutenant Governor be pleased to number the Regiments it will be the means of preventing jealousy and disputes hereafter should the different Regiments meet on the same Parade as we hitherto have been in the habit of doing

I have the honor to be &c

RALFE CLENCH
Colonel 1st Regt L M

Honble Aeneas Shaw
Adjutant General, York

(Militia papers U C M D 30)

FROM FRANCIS GORE TO D M ERSKINE

Niagara Upper Canada

26th May 1808

Sir

The importance of the inclosed papers No 1 2 & 3 requiring that your Excellency should be put in possession of them with the least possible delay I have forwarded them as soon as received

The Honble R Hamilton from whom I received them is a Gentleman of the most respectability in this Province a Member of his Mjesty s Legislative Council and a Man whose representations may be entirely relied on

The several documents detail so accurately the Conduct of the Officers of the United States Government that it would be Superfluous for me to add any observations of my own more than to Express my strong apprehensions that the restraint which his Majesty s Government have with so much anxiety and Success laid on the Indians hitherto will become difficult and unavailing when they are informed that the usual Annual Supplies intended for them have been Seized by the Officers of the American Government

I have the honor to be &c

FRANCIS GORE
Lt Governor

His Excellency
The Honorable
David M Erskine,
Washington

(Sundries Upper Canada 1808)

A letter from Queenston published in the *Quebec Gazette* of July 14 announced Gore's hasty departure for Amherstburg three weeks later

Queenston Upper Canada June 16

"Our Lieutenant Governor has been sent for by express from the Indian agent near Detroit and sets out by land this day for that quarter It is reported that some very violent resolution adopted by the Indians (on hearing that their usual supplies for their trade were stopped by the American government at Niagara) has occasioned this sudden and unexpected measure God grant that no mischief may take place before he gets up Col Claus is still there and the Governor takes with him most of the other officers of the Indian department

Gore's journey was reported in the following terms in the next issue of the *Upper Canada Gazette*

"His Excellency the Lieut Governor left this place York on the 15th instant on a visit to Sandwich &c We are sorry that he did not as he originally destined proceed by Lake Huron according to his amiable intention and view of promoting the first interests of this province"

FROM WILLIAM ARMSTRONG TO FRANCIS GORE

Quebec 26th May 1808

Sir

I had yesterday the Honor of receiving yours of the 30th March which was forwarded I suppose from New York to Montreal from whence I received it About the time you wrote I left the United States from whence I should most Certainly have written you had anything serious been likely to take place but as I have all along been Convinced that it was not the Intention of that Government to go to War with Great Britain *If they can possibly Avoid it* And all their proceedings being published in the News Papers I thought it unnecessary to trouble your Excelly with my Correspondence more particularly as I was then ignorant of the *proper* mode of Conveyances

Previous however to my leaving that Country I left Directions with two of my friends at Wash and N York that in case they saw a Necessity for it to send you immediate Information by Express — As I know nothing has Occurred of the smallest Consequence you of Course have not heard from them If you should the first will be Dated F and signd L — the other will be Dated A and signed B — and on their Information you may rely

Notwithstanding all the Supplements and Attempts to Enforce the Embargo or more properly the Non Intercourse Act Immense quantitys of Produce Comes in by every fair wind from Lake Champlain and the Inhabitants of Vermont publickly Declare they will not allow it to be Stopped — of this the Government is Convinced and rather Chuse to wink at the Infringment than run the Risk of an Insurrection which I really expect will take place should the Embargo Continue a few months longer — But a war with France is daily expected & almost unavoidable

The New York Papers will have given you the particulars of the Wonderful Change that appears to have taken place in Spain which I think will be the means of inducing our Government to pay some Attention to Col Burr's proposals with which I have good reason to believe he is either gone or immediately going to Britain — *This to yourself only* I have Communicated it to your friend Mr C in order that he might be prepared to meet it — No other person knows of it

Seventeen Ships & Brigs arrived here within these two Days from Halifax Britain Ireland & the West Indies & many more are Expected but I dont find they bring any News Excepting that on the 4th Inst a Report prevailed at Bermuda that a large proportion of the Troops there were about to proceed for this place —

I arrived here the end of last Month & have Reason to believe I shall remain with Sir James Craig who tho' much better than he was when I arrived is still far from being so well as I sincerely wish him —

Should I not remain here it is my intention to pay a visit

to Upper Canada for the purpose of paying my Respects to your Excellency & in Person Assuring you that if *in any way* I can be of Service to you you may Command & Believe me to be with perfect Esteem

Your Excellencys
Most Obed Hble Sevvt

(Sgd) Wm Armstrong

His Excelly
Lieut Gov Gore
Etc Etc

From the Merchants of Montreal to
Hon D H Erskine

To His Excellency the Honorable David Henry Erskine
His Majesty s Minister Plenipotentiary to the United
States of America and Washington

The Memorial of the Merchants of Montreal carrying on Trade to the Indian Country within the American Territory

Respectfully Sheweth

That your Memorialists having been apprehensive that the Revenue Officers of the American Government on the frontiers of the Indian Territory might interpret some of the Laws that were existing and had recently been passed in such manner as to impede that free intercourse which your Memorialists as British subjects have a right under an existing Treaty to enjoy in trading with the Indian Nations were induced in March last to represent the same to His Excellency the Governor in Chief of the two Canadas who was pleased thereupon to refer them to you on the subject by transmitting to your Excellency by Geo Gillespie Esquire the Memorial they had presented to him for the especial purpose of obtaining such explanations of those laws as would secure such free trade and intercourse with the said Indian Nations as were stipulated by the Treaty of Amity and Commerce between Great Britain and the United States concluded in 1794 and further confirmed by an explanatory article thereto made in 1796

That in consequence a Law was passed by the Legislature of the United States apparently so clear and explicit as removed the apprehensions that they had entertained and the Trade which before had been entered upon was continued to be prosecuted in full faith and confidence that no molestation or impediment whatever would thereto be given But notwithstanding the said Treaty and the said Law of the American

Legislature your Memorialists have learnt to their utter astonishment, that a number of Batteaux belonging to your Memorialists, laden with Merchandise for the Indian Trade, have been lately seized at Niagara by the Revenue Officer there, aided by the Military power of the Garrison, as your Excellency will see by the annexed letter from the Honorable Robert Hamilton Esquire, one of the Members of the Legislative Council of Upper Canada, at a time too when it would appear by said Letter that the Revenue Officer was acquainted with the Section of the Law, which took the Indian Trade carried on from this Country, completely out of the operation of the Non Importation and Embargo acts of Congress.

That this wanton and unjustifiable attack by the Collector on the property of your Memorialists, and actual hostility of the Military on the persons of their Servants, who are subjects of His Majesty, will not be sanctioned by the American Government, they are persuaded, but unless such violations of Amity, law and justice are put a speedy stop to, by the most precise orders from the Superior to inferior Officers at a distance, the Treaty will be a mere nullity — The Trade must be abandoned, and all those concerned in it ruined.

That this detention of property, and the consequent dispersion of the Servants of your Memorialists, the Crews of the said Batteaux, who are thus turned adrift, will so seriously break in upon the Trade of the year, as to occasion a loss that may exceed fifty thousand pounds — for the Goods so detained being an essential part of a general assortment for Indian Trade must render the whole nearly useless, as the want of them will be much felt in the same manner, as would arms without ammunition or ammunition without arms, — besides an immense expense has already been incurred, from the necessary preparation, for the usual Trade, and which expense, cannot now be prevented or curtailed — all this is so truly the case that even the restoring the detained goods at as early a period as now practicable, can only repair a small part of the injury so wantonly done, and will not prevent your Memorialists from looking to a full pecuniary indemnification in proper season, at the hands of the American Government, for the loss and injury that must be sustained by this distruction and hostile measure, and in the prosecution of which claim to full indemnification they look forward with full confidence, to the support of His Majesty's Government.

That your Memorialists are further informed that the furs and skins arising from the Indian Trade within a part of the American Territory, have been stopped on the Miamies River and prevented from being brought to the places of residence of the proprietors within the British dominions of which they are subjects and if the same measure of injustice is extended to Michilimackinac your Memorialists confidently assert that the eventual loss may exceed two hundred thousand pounds Sterling

Your Memorialists consider the stoppage and seizure of the Batteaux in question as a gross violation of the Treaty of 1794 in this further point of view that *the right* to navigate the Lakes Rivers and waters of the Continent of America within the country of the contracting parties is most precisely thereby secured under *such right* those Batteaux were loaded at Montreal for a destination far beyond Niagara and to go by the accustomed route which necessarily leads them to coast the British shore of some of the Lakes and the American shore of some of the others according as the said shores of one or the other are most favorable to safe navigation in Boats

In the present case those Batteaux were peaceably proceeding to their said remote destination along the American shore of Lake Ontario and when crossing as usual from the point at the entrance of Niagara River over to the British side of that River they were most unjustifiably fired upon and brought back although borne either by British Waters or those to the use of which his Majesty's Subjects had an unquestionable right It will not therefore escape your Excellency's observation that His Majesty's Subjects being so fired upon when out of the American Territory and some of the Balls actually coming over to the British side, places the transaction upon a footing of most decided and unequivocal hostility

The collector is said to support his conduct upon the pretext of their not stopping to report — The right to demand such stoppage and report when coasting the Lakes and Rivers of communication between them merely for the purpose of arriving at a distant destination your Memorialists have ever denied and now deny and they rest their pretensions upon the fair interpretation of that Treaty which universal practise has hitherto sanctioned and which is confirmed by an instance on Lake Huron near Michilimackinac where a seizure of some Boats belonging to the North West Company being made by the Collector of that Port the property in such Boats was after a full discussion in the American Courts restored

That under all these circumstances your Memorialists urge the necessity of your Excellency's making a strong representation to the American Government upon the subject of complaint and obtaining from the proper authority such explicit instructions to the Revenue and Military Officers as may immediately liberate the property detained as also that without loss of time instructions be sent to all the interior Posts to enjoin in future a liberal and just compliance with the Treaty of Amity and Commerce and the fifteenth Section of the 4th Embargo act which relates to the Indian Trade

JAMES & AND McGILL & Co
FORSYTH RICHARDSON & Co
McTAVISH McGILLIVRAY & Co
PARKER GERRARD OGILVY & Co
J BLEAKLEY for self { Agents
GEORGE GILLESPIE { for the
TOUSSAINT POTHIER { Mack w
DAVID MITCHELL JNR { Company

Montreal 27th May 1808

FROM JAMES McGILL TO HERMAN W RYLAND

Montreal 30th May 1808

Dear Sir —

I beg leave to trouble you with a Memorial from the Merchants of this place carrying on the Indian Trade within the American Territory to His Excellency The Governor in Chief and copy of a memorial to His Excellency David Henry Erskine His Majesty's Minister Plenipotentiary at Washington which they despatched by a confidential & Special Agent yesterday and they request you will lay the same before His Excellency the Governor in Chief — Copy of the Letter from Mr Hamilton & Spoken of in the Memorial would have accompanied these but it was forwarded yesterday by Brigadier General Brock & renders it unnecessary to trouble you with another — The Merchants were most desirous of having the recommendation of The Governor General to Mr Erskine but as this would have occasioned delay & every Hour being precious under the existing circumstances they thought it best not to lose any time more especially as they know His Excellency's sentiments on the subject of the Indian Trade by his ready assistance in March last when Mr Gillespie went to Washington on that business

I think it right to add that since the Memorial to His Excellency was framed the Merchants have received information from the Conductor of the Battoes that were seized that he had five Battoes under his Charge with three of which he reached the British side & two of them were seized that he was fired upon by the Men from the American side who came off in a Battoe to stop them — That six other Battoes were seized which had not come up when he passed the American

Fort & he thinks must have been at some distance from the Fort when seized That further an American Boat was despatched with armed Men with the evident purpose of laying Hold of Nine other Battoes loaded which were yet in the Lake & were only prevented by the greater Celerity used by Mr Clarke of Niagara Agent for the Memorialists who in a light Battoe well manned & armed went out into the Lake to meet these nine Battoes & succeeding in bringing them back to Kingston notwithstanding they were pursued for a length of time by the American Battoe

It is proper to mention for the information of His Excellency that the Battoes in question were twenty in number divided into four Brigades that they passed Oswego an American Fort & Custom House without molestation notwithstanding they were in reach of the Collector who saw them pass & was heard to declare by a Person now here that he had no right to stop or molest them — From this circumstance it would seem either that the Collector of Niagara had not similar Instructions or if he had he has wantonly disregarded them & injured the concerned to such extent as few private fortunes can bear & still fewer make up for — Conceiving however that a different line of Conduct will obtain at the other American Ports The Merchants mean to prosecute their business trusting that the heavy Loss they must sustain will be considered worthy the notice of the Government & compensated in due Season

I have the honor to be with your truth & regard Dear Sir

Your obedt & very h'ble Servt

JAMES MCGILL

Herman Wit Ryland Esq

P S Since writing as on the other side Mr Clarke's letter has come to hand and I am forwarding a copy of it

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To His Excellency Sir James Henry Craig Knight of the most Honorable Order of The Bath Captain General and Governor in Chief in and over the Provinces of Lower Canada Upper Canada Nova Scotia New Brunswick and their several Dependencies vice admiral of the same general and commander of all His Majesty's Forces in the said Provinces of Lower Canada and Upper Canada Nova Scotia and New Brunswick and their several Dependencies and in the Island of Newfoundland &c &c &c

The memorial of the merchants of Montreal carrying on the Indian Trade within the Territory of the United States of America

Most Respectfully sheweth

That your Memorialists have been lately informed by letter from the Honorable Robert Hamilton of Niagara, a member of The Legislative Council of Upper Canada that a most violent and hostile attack had been made on their Boats and Battoemen carrying Goods for the purpose of the Indian trade on passing the American side of the River of Niagara, by seizing their goods to a great value and firing on their Battoemen

That in consequence of this information Your Memorialists considering the necessity of losing no time in applying for Redress have dispatched a confidential and special agent to Washington with a memorial to His Excellency D H Erskine His Majesty's Minister Plenipotentiary on the subject and of this memorial and Mr Hamilton's letter copies accompany the present for your Excellency's fuller information and to which they pray your attention

That your Memorialists after the representation transmitted by your Excellency on the same subject in March last to the Honorable Mr Erskine to which so satisfactory an answer was given by the American Legislature passing a law to exempt the Indian trade from the non importation and embargo Acts in as much as they might relate to British Subjects trading with the Indians within the American territory see with pain and astonishment that neither the Treaty of amity and commerce between Great Britain and the United States of America nor laws made by themselves are sufficient to prevent the subordinate officers of that government from committing acts of violence and injustice on British Subjects and insulting to Government

That in addition to the representations made to Mr Erskine your memorialists have to state that if the Battoes have been fired upon and the goods seized because they were passing an American post without making entry of such goods the waters of Lake Ontario and all others along the chain of internal communication must be considered as interdicted to British Subjects for vessels must frequently from contrary winds be under the necessity of approaching within gun shot of the American shore and were they to be forcibly stopped for not reporting at such Posts the whole intercourse of merchants vessels from British Post to British Post upon the Lakes would be stopped a pretension too absurd to be endured as it might expose to seizure the Furs of The North West not coming from the American Territory and Flour and other Provisions coming direct from Detroit or Niagara within His Majesty's Dominions for we do not consider the exemption from the non importation or Embargo Laws as conferring the right of navigating the Lakes We ground such right on the Treaty of Amity and Commerce, which to the subjects and citizens of Great Britain and the United States of America gives the free use in common to both of all the waters which divide their respective Territories in America

That your Memorialists seeing the insecure state in which by this assumption of Power the whole Trade of the Upper Country is placed do for themselves and others concerned in it most earnestly entreat that you will lay their complaint before His Majesty's Minister that they may adopt such measures for granting relief and security in the premises as they shall deem necessary and in the meantime they pray that your Excellency will be pleased to communicate your sentiments to Mr Erskine on this subject and give such directions to the proper officers of Government who are charged with protecting the subject and his property as in your wisdom you may see fit

Your memorialists beg leave to add that as soon as further communication on this subject comes to their hands they will communicate the same to your Excellency and being fully aware of the loss and injury that they will sustain by this forcible detention of their property and violent act of Hostility they mean to claim full pecuniary compensation from the American Government for the same through the channel of that Government of which it is their pride and Glory to be subjects
Montreal, 30th May 1808

JAMES & AND. MCGILL, & CO
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TOUSSAINT POTHIER ⎪ Mack w
DAVID MITCHELL JNR ⎩ Company

THE QUEBEC GAZETTE

Thursday June 2 1808

MONTREAL 30th May 1808 —We learn from Niagara that several Boats belonging to the Michilimackinac Company on passing that place were fired upon by the American fort and brought to and the property seized which was afterwards demanded by Mr Hamilton a British merchant who produced the late clause of the Embargo act as a proof that the act was unlawful The only answer which he received from the American commander was that he construed the act in a different manner and he should detain the property and take the consequences upon himself On firing upon the boats some of the balls are said to have passed over upon the British side. Considerable damage is also said to have been done to the boats before they were brought to.

THE FOLLOWING IS THE CLAUSE OF THE ACT ALLUDED TO, PASSED THE 22D. APRIL LAST.

'Sec. XV. And be it further enacted, that nothing in the act laying an embargo on all ships and vessels in the ports and harbors of the United States, or in the several acts supplementary thereto, or in the act to prohibit the importation of certain goods, wares and merchandize, shall be construed to prevent the exportation by land, or inland navigation, from the territories of the United States into those of Great Britain, of furs and peltries the property of subjects of Great Britain, and by them purchased from the Indians, or to prevent the importation by land, or inland navigation, from the territories of Great Britain into those of the United States, of merchandize the property of British subjects, and by them imported solely for the use of the Indians aforesaid.'

An extract from a letter from Thomas Clark to Colonel Talbot at Port Talbot, dated at Queenston on June 7, shows the dislocation of commerce caused by this event.

The bearer Le May, Conductor of four Boats going round the Lake will deliver you three parcels — one containing news papers, one clover and Rye grass seeds — the other One hundred Dollars. By the Boats at this time I was in hopes to have sent up your other articles, but from 8 of them having been seized at Fort Niagara by the American Collector & 5 from desertion of the men being left at Kingston, puts it out of my power, having had to load the others deeper — every thing shall be sent to Fort Erie, and can easily be taken to Long Point by Loders vessel, that is should no direct opportunity offer for Port Talbot.

Robt. Nichol has gone to Washington, to endeavour get his 8 Boats & goods released. I expect to hear of him in the publick papers before he returns.'

(Coyne, Talbot Papers, I, 98-9.)

FROM JOHN RICHARDSON TO HERMAN W. RYLAND

Montreal, 20th June, 1808.

Sir —

I have had the honor of receiving your letter of the 15th instant, inclosing by command of the Governor in Chief a copy of a letter to Mr. J. A. Panet, Mr. J. T. Taschereau, Mr P Bedard Mr J L Borgia and Dr. Blanchet dismissing them from their situations as officers of Militia and to Mr Plante dismissing from the office of Inspector of the King s domain and clerk of the Papier Terrier as also of a Letter to the Hon ble G Taschereau Esquire desiring that his Son Mr J T Taschereau should be no longer employed as his Deputy in the office of Grand Voyer for the District of Quebec and in all which Letters the reasons of dismissal are assigned

I have to return my most respectful thanks to His Excellency for his condescension in making this communciation which I beg leave to express through you

Mr Michael who carried down the memorial to Mr Erskine about the seizure of the Boats at Niagara is already returned having found him at Philadelphia from whence he immediately returned to New York with a dispatch to Mr. Gallatin then there — From that gentleman however no satisfaction could be had as he would not interfere in any shape until he had received the report of the seizing officer, which could not be before his return to Washington

He seemed however to justify instead of condemn the requirement of an entry and report to their Custom Houses even when only coasting their shore for an ulterior destination which principle has never before been acted upon but in one instance where the decision of their own courts was adverse thereto nor can it ever be admitted by British Subjects without rendering the right of Navigation by Treaty nugatory or even worse as a Trap for our Trade thereby to expose it to vexations that must speedily produce its annihilation — This probably is their object There is such a want of good faith on the part of America in the execution of all Treaties that we have been from first to last completely duped by giving up a substantial something to receive what by their practical exposition may amount to nothing or even worse than nothing an actual loss of property

From this little specimen at Niagara it may be seen how Jonathan would illustrate his favorite doctrine of the Liberty of the Seas if he possessed the power of the British Navy

Mr Michael on his return to New York found there Mr Nichol the person dispatched by our agents at Niagara on the same business and who intending to proceed on to Washington to obtain a final answer it became unnecessary for the former to go there also — This is the reason of his bringing no dispatch for the Governor in chief as when he left Mr Erskine at Philada it was under the impression of again seeing him — He forwards to day a Letter from Mr Bond —

The last Raft on Lake Champlain has been brought in by force — There was a good deal of firing with Ball between the people of the Raft and Militia but no lives lost, although both sides seem to have been in earnest.

I very respectfully am

Sir

Your Most Obedt Servant

JOHN RICHARDSON

Herman W Ryland Esquire
Endorsed
20th June 1808

From Mr Richardson in answer to the letter announcing the removal of certain persons engaged in publishing the *Canadien*

FROM JAMES MADISON TO D M ERSKINE

Department of State
June 29th 1808

Sir

Your Letter of the 21st Inst on the Subject of the detention by the Collector of Niagara of certain Boats belonging to Canadian Merchants engaged in the Indian Trade was duly received and communicated without delay to the Secretary of the Treasury on his return to this City The inclosed Copy of his instructions (*) to the Collector will explain the Interposition which has been thought best adapted to the Case under the imperfect knowledge yet obtained of the Circumstances I will make no other addition to it therefore than merely to observe that if as the Agents of the Montreal Merchants seem to be aware a Law of the United States was violated without any other Plea except that of Ignorance, the Tone of their Complaint ought to have been very different and that a resort to the Justice of the Government of the United States in all Cases to which it is applicable will always be found by the Officers of His Britannic Majesty the most efficient as well as the most suitable Course for their adoption

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FROM D M ERSKINE TO FRANCIS GORE

Philadelphia July 4th 1808

Sir

I had the Honor to receive your Letter of the 26th of May with its several Inclosures respecting the seizure & Deten-

tion by the Collector of Niagara of certain Boats belonging to the Merchants in Canada engaged in the Trade with the Indians.

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* These Instructions order the Boats to be released by the Collector who is to take Security for the Goods to abide the Decision &c

The inclosed Letter will explain the Result of my Application to the Government of the United States upon the Subject & Mr Nicholl is the bearer of the Instructions (refer'd to in Mr Madison's Letter) which have been given by the Secretary of the Treasury to the Collector of Niagara upon the Occasion

And I have forwarded to Sir James Craig Copies of the Correspondence which has passed upon the Subject between the Government & myself which I have not put under a flying Seal for fear you might not happen to be at the Seat of Government but request the favor of you to open them & after having read them to transmit them to Sir James Craig the Governor in Chief by the earliest Conveyance

(Sundries U C 1808)

Signs of unrest and discontent among the Six Nations in Upper Canada and the United States were apparent and did not fail to cause considerable anxiety

FROM WILLIAM CLAUS TO PRIDEAUX SELBY

Fort George 10th August 1808

Sir

A vast number of Indians are at this Post just now upwards of one hundred & sixty several from the Grand River who complain of the great distress they are in for Bread those who I find are in real want and not through Idleness or their having sold their Corn I will give them a little relief it will not be Long before the Corn will be fit to use consequently Less flour will be given them than otherwise — The others from Buffaloe Creek and that Neighborhood I met them this day when they Declared very Publicly that the statement made by their Interpreter respecting the war Belt being given to them by me was unjust and Denyed that they ever told the Interpreter or the Agent Mr Granger any such thing — That in their Council Last spring they shewed the Belt which I gave them on the differences between the Grand River Indians being made up which Belt was to cover all past Animosity. They then told me that they had come to a Determination to sit quiet in case of any quarrel between the King and America and not to spill the Blood of the white men and that their Friendship for the King was firm — I merely returned them the usual compliment and said very Little more to them to shew them that I was not pleased with their Conduct — The Missisagoes are also here to the Number of 51 they are very inquisitive about the additional Payment for the Land they sold three years ago on the subject of which I would be glad to hear

The Requisition for the post has not been completed and what with those things sent to Amherstburg Last fall and the great Demand on the Store of *This* Post for the payment of *all* public Service performed by Indians will reduce Our Annual presents very considerably indeed

I am Sir &c

W CLAUS

P Selby Esquire
&c &c

(Claus Papers Vol 9 pp 239 240)

The following letter which is unsigned but initialled by the Governor General for transmission to the Colonial Office was probably written by John Norton who had acquired great influence among the Six Nations of the Grand River

Grand River 10th August 1808

Dear Sir

Your intention to attempt the civilization of the Tribes within the British Limits as also the present appearance of the disposition of the Americans which indicate that it is not improbable for a rupture to take place between them and the British Empire induce me to give some Ideas of our situation it striking me forcibly that either to civilize the Tribes or to hold them in a situation ready to give assistance to the British Government it is necessary that their settlements should be more compact than they are at present

The intention of the Americans towards the Tribes is sufficiently clear the annuities they allow them for the lands they have usurped are intended to sooth them and retain them within their power The Senecas or Oudowages who are the most numerous branch of the five Nations are detained within their Limits by this measure an annuity arising from the Lands they have relinquished amounting to somehting more than 6000 Dollars is paid the Nation which divided gives 3 Dollars to each person several of the Principal Chiefs receive annually from 100 to 300 Dollars thus Interest retains them contrary to their affections for I feel assured that they are more sincerely attached to the British and to their Brethren here than they are to the Americans The Oudowages and Cayugas received annuities for their lands 2 500 Dollars each Nation these have suffered a considerable Diminution this year through the medium of those of the Nation who remain within the American Bound

ary but whether at their instigation or not I cannot pretend to say

As the Tribes are under the protection of the British Government and the Annuities are more than a just debt would it be improper for His Majesty to interfere and issue the payment of them to the Tribes should they remove within the Limits of his government or should a War take place and they espouse his cause The whole amount of this which is the only support of the American influence with the five Nations falls short of 12 000 Dollars Yearly a sum not at all to be compared to the great Expense of the Indian Department The sale of a few Townships of land made by Government in this Country might raise a sufficient sum to create such an annuity

After breaking the bands of American influence the next thing to be effected is to collect the Five Nations in One Settlement either on the Grand River or to the Westward of the River Thames towards the Shores of Lake Huron in the first situation they would be more under the eye of Government in the latter more conveniently situated to serve them in negociations with the Western Tribes and less exposed to be contaminated by the vices of those kind of people that are continually crowding into New Settlements 1200 Men collected into one settlement might be more relied on in time of War than scattered Divisions and would require little more trouble to improve and Civilize than a settlement of a much smaller number

I have heard it remarked that something has been said at York respecting the utility it would be of to the Country to have the five Nations removed from the Grand River to a more westerly situation but I am glad to hear also that His Excellency the Lt Governor observed he would do nothing in it unless it should be proposed by the Five Nations themselves

As this subject has been stated I shall give you my private opinion on it The grant of General Haldimand is so long and narrow and the settlements so new as that it is impossible for us to keep liquor from among us unless when the people have resolution to refrain from drinking The people would be more distant from the Americans consequently less liable to be corrupted by their Intrigues More approximate to the Chippawas Ottawas Pottawattomies Shawanoes Wyndots Miamis and others from the Southward that might be collected between the Lakes and the Mississippi as I have already mentioned in a Letter to Mr W

On the other hand as the Grand River lands are of such higher value from their situation than any we could receive

on Lake Huron (lands not equal in fertility for five miles from us sellink now for five and six dollars an acre) it would be neither reasonable nor just to obtain them from the five Nations and grant them away to others neither would it be to the advantage of the Country The Government should first take a view of the whole and provide that none of the Industrious be injured by the change by giving individual grants to every Family or Man that had made any improvement according to the extent of their improvements then the sale of the remainder to be made under the inspection of Government and after securing annuities superior to those paid by the Americans with the remainder purchase a tract from the Chippawas on Lake Huron such as might be chosen by the Five Nations convincing them in the whole proceeding that the Grant of General Haldimand was not violated but changed to remedy the difficulties it had been involved in

As the lands on Lake Huron from their situation are not likely to be wanted by Government this Century the same extent should be given to the Five Nations as General Haldimand granted only in a different form instead of 120 by 12 let it be 50 by 30 a Mission might there be established for giving Religious Instruction and a Seminary formed to instruct the Youth in Agriculture and Letters

For the encouragement of industry a Trader should be placed on our settlement with useful Articles such as Blankets woollens cottons iron cutlery and ammunition with these to purchase Wheat and Pork as well as skins the money of the Five Nations placed in the bank by the Agents of Government might in this manner be turned to the Support of Industry those cultivators of known industry and economy might be allowed to borrow of the public to half the amount of the property they possess in improvements cattle &c or mortgaging the same for the payment to pay annually the interest and so much of the principal as to discharge the whole in twenty years or sooner should he who borrows see fit

Many are the obstructions and clogs to industry existing in the customs of the Five Nations more than in any constitutional Indolence I know it because I have felt the inconvenience myself, but if we can make a good road I feel assured that there will be some to walk on it and time may at last effect the desirable change

The Mohawks are improving rapidly there are several so much agriculturists as to raise three or four hundred bushels of Wheat in the Year those who suppose that the being farmers will debilitate them from being Hunters are mistaken The most industrious at the plough generally shew themselves the most persevering at the chase when in Winter they throw aside the hoe and take up the gun

I wish you to understand this not as proposal from me but rather as the most equitable and justifiable method to be taken by Government should the supposed good of the Colony induce them to desire any further relinquishment of the claims of the Five Nations and should such a change take place the tract of land given in exchange should be sufficiently capacious to assemble therein all the Tribes of Upper Canada Their being collected in a body would be more for the good of the Empire in case of a War and a teacher with little more exertion would be in a situation of aiding the cause of religion much more extensively as a fowler who fires at a great flock of Pigeons has a chance of killing many more than if he had shot at a few

The influence of Government might also be maintained among them by a resident on the spot much more effectually than it can be by a Superintendent General at the distance of some 100 Miles frequently unacquainted with the Tribes they superintend

The great expence the Government is at in sending out goods and employing Store-Keepers and Clerks might be rendered unnecessary by furnishing an annuity in the manner I have already explain to counterpoise that given by the Americans and a respectable trader appointed by your intended society would furnish the necessary Merchandise according to the varied wants of the Individuals Only in case of War the Arms Ammunition and clothing wanting for those who embodied themselves to serve might be furnished by Government

The situation of the British in this Country is at present very similar to that of the French at a former Period The great disparity of the force of this Province to that of the United States & its inland situation renders an alliance necessary and except the Senecas whose Character Mr T does not seem to be acquainted with the Aborigines are natural Allies from their antipathy to the Americans and Affection to His Majesty The French to secure more effectually the services of the Tribes always used their utmost endeavours to have their settlements compact which they effected in the Neighbourhood of Detroit on the Wabache & near Montreal The latter consisting of the Catholic Mohawks and a few Radonodacks are at present the only remains of this management in three Villages not very distant from each other there is upwards of six hundred Warriors

In the present situation of things this Province is much exposed to any sudden attack of the Americans particularly should they commence hostilities at a season when assistance could not be readily obtained from Europe and to keep up constantly a Military Establishment adequate to the defence of so extensive a Province the expense would be enormous

To remedy this inconvenience a Military Settlement might be formed on some Townships of the Crown lands composed of a few thousand Veterans who would receive their lands on condition of holding themselves in readiness at the call of Government to serve in Defence of the Country Although as strangers they might at first find difficulties in settling a country so different from their own yet with a little well administered assistance at the commencement and giving proper encouragement to some loyal Americans to mix with them they might soon obtain a comfortable living

Such a well disciplined Militia together with our Tribes & the loyal part of the Militia of the Province might form a sufficient Army of defence for any sudden emergency

J H C

Early in the year 1808 the Public School for the District of Niagara otherwise sometimes known as the Niagara Grammar School in accordance with the terms of the public school act of 1807 was established in the town of Niagara The trustees nominated by the Lieutenant Governor were Hon Robert Hamilton Thomas Clark William Dickson Robert Kerr Thomas Cummings James Muirhead and John Symington The Reverend John Burns the resident minister of the Presbyterian churches in Niagara and Stamford was appointed teacher by them The sum of £100 was allotted from the provincial treasury toward the maintenance of each district school

FROM ROBERT HAMILTON TO WILLIAM HALTON

Queenston Aug 28 1808

Sir

The trustees for the public School at Niagara having rectified the Certificate for the Master s Salary I have now the honor to return that paper to you I have in their Name to request that you will have the Goodness to place it where it may be effecient

(Sundries U C 1808)

Having been exiled from France the distinguished General Moreau had lived quietly in the United States for several years Popular rumour stated that in the event of a war with Great

Britain he would be offered the command of an army for the invasion of Canada This statement led to his unauthorized arrest while in Niagara after paying a visit to the falls

From Henry Procter to Colonel Aeneas Shaw

Fort George 15th September 1808

Sir

I have the honor to acknowledge your Letter of the 1st September which indisposition has prevented my doing sooner In answer I have to acquaint you for the information of His Excellency the Lieut Governor that the French General Moreau was neither apprehended nor liberated by me he arrived at the Inn at Newark on the Evening of the 27th Ultimo where he remained to the best of my information until the Morning of the 28th when I saw him and informed him that not having the Sanction of His Excellency the Lieut Governor he could not remain in the Province he then acquainted me of his intention to leave the Province immediately by the same route he had entered it which I understand he did without loss of time On my having asked him if he had any Passport he acquainted me that he had sent from Buffaloe to the Magistrate at Fort Erie to know if there was any objection to his entering the Province whose answer was that he knew of none General Moreau I understand was apprehended and liberated by Colonel Clinch not having any Authority to interrogate him or others concerned I must beg leave to refer you to him for the particulars of the General s Apprehansion &c

(Sundries U C 1808)

Captain Cowan whose death is recorded in the next letter had served in the Royal Navy for four years and afterwards commanded a ship for twenty eight years on Lake Erie in the provincial marine He was one of the members for the county of Essex in the fourth provincial parliament from 1804 until 1808 and owned a farm near Fort Erie where he operated for some time the international ferry to Black Rock

From Henry Procter to William Halton

Fort George
September 25 1808

Sir

I am sorry to inform you of the Death of David Cowan Esqr Commander of His Majesty s Snow Camden which occurred on the 24th Instant at Fort Erie

I beg leave to say that this is not the first Occasion I have had to regret the Want of medical *skill* at Fort Erie

(Sundries U C 1808)

The supply of the troops in garrison and other military departments created a considerable demand for fresh provisions and flour which was usually supplied by local contractors.

From John McGill to Francis Gore

York 15th October, 1808

Sir

In obedience to your Excellency s order of the 16th August 1808 I have the honor to Report that I have agreed for a Supply of Fresh Beef which is to be furnished to the Troops and Military Departments in Upper Canada by the quarter during the undermentioned periods and at the prices stated after each Post viz

Fort George—David Secord from 25th September to the 31st December 1808 at Two pence half penny pr pound, and from 1st January to 24th March 1809 at three pence Halifax Currency pr pound

Chippawa & Fort Erie—Samuel Street Junr from 10th October to 31st December 1808 at One pound two shillings and six pence Halifax Currency for every One hundred pounds of Beef

(Sundries U C 1808)

Another visit by the Lieut Governor to Niagara at the end of this month was briefly recorded in the *Upper Canada Gazette* of October 22

"On the 17th instant his Excellency the Lieut Governor and Major Halton sailed for Niagara in the *Toronto Yacht* It was His Excellency's intention to have gone there on Monday last He embarked for the purpose and received an honorary salute from the Garrison Excessive gales and a succession of head winds delayed his proceeding until Thursday morning "

His return in the same ship on November 6 was subsequently reported

The great delay of the United States government in investigating the complaints of the proprietors of the boats which had been irregularly seized by the collector of Fort Niagara provoked another forcible petition from them, probably prepared by the Hon John Richardson then a member of the Executive Council of Lower Canada

To His Excellency Sir James Henry Craig Knight of the most Honorable Order of the Bath Captain General and Governor in Chief in and over the Province of Lower Canada Upper Canada Nova Scotia New Brunswick and their several dependencies Vice Admiral of the same General and Commander of all His Majesty's Forces in the said Provinces and their several dependencies and in the Island of Newfoundland &c &c &c

The Memorial of the Merchants of Montreal carrying on Trade to Michilimackinac and the Indian Country within the Territory of the United States

Most respectfully Sheweth

That it is with great regret they find themselves under the necessity of again troubling your Excellency with their complaints against Officers of the Government of the United States but the necessity arises from the outrage committed and before complained of being still unredressed

That the subject may be fully before your Excellency without reference to their former Memorial they take the liberty of again stating the facts with such observations thereon as circumstances so extraordinary suggest

The case stands thus — The Company trading from Montreal under the Firm of the Michilimackinac Company who are Subjects of His Majesty dispatch'd early in May last from La Chine a number of Batteaux or Boats laden with Merchandise intended eventually for Trade to the Indian Country and which were ordered to proceed and were proceeding by the accustomed route (being that uniformly practised since the cession of the Posts by the Treaty of 1794) up the River Saint Lawrence and round the Lakes to the *Island of St Josephs* a British Post (without an idea of intermediate Trade) at which Post they were to be met by the Agents of the Company (who went up by the Ottawa River) and there to receive instructions respecting their ulterior destination a considerable time previous to the departure of those Boats a mission was sent to Washington under the Sanction of your Excellency to ascertain through His Majesty's Ministers there whether it was the intention of the American Government to continue to act upon the permanent part of the Treaty of 1794 as to the Admission of British Subjects to participate in the *Indian Trade within their Territory* or to consider it an an end as upon such ascertainment the Agents of the Company at Saint Josephs were to regulate their further proceedings after the arrival of the said Boats at that British Post at the departure of those Boats from LaChine the answer from Washington was not received

The object of such ascertainment had no relation to the *navigation by the usual route round the Lakes* such being considered common right unquestionably secured by Treaty and foreign to that respecting Trade within American Territory Accordingly the Boats proceeded onwards in full faith and confidence that whatsoever might be the determination of the American Government respecting the said Indian Trade the common use of the waters along the internal communication dividing the two Countries would still be held sacred

Those Boats went forward as usual without interruption untill the 21st day of May last when the first division of them arrived at the entrance of Niagara River from Lake Ontario where there are *British* and *American Garrisons* nearly opposite to each other In the middle waters of that River or even nearer to the *former* than the *latter Garrison* the Boats were fired upon with Musket Ball by a party of Soldiers in a Boat dispatched from the American Fort when Two with their Cargoes were forcibly seized and carried back to the American Garrison and three got over the British side after the Crews had narrowly escaped death for so near were they to the British side when fired upon and so marked the Hostility of the procedure that some of the Balls fired reached the Land on that side

Those who committed this outrage having learnt that other Boats belonging to the same Company were following along Lake Ontario a Boat with Soldiers was dispatched from the American Fort to intercept them and succeeded in forcibly seizing six more in the open Lake making in all Eight Boats the whole of which with their Cargoes have been since unjustly detained in direct violation of the Treaty of 1794 and to the great inquiry and heavy loss of the same Michilimackinac Company

Not satisfied with this signal outrage upon the Stipulations of that Treaty an American Boat with Soldiers proceeded to a much greater distance along the Lake to seize also nine other Boats still further behind and actually pursued them above Thirty miles but in that superlatively aggravated intention they were happily foil'd as those Nine boats had received intimation of what had passed by one dispatched from the British side which occasioned their return to Kingston from whence they proceeded round by the North side of Lake Ontario after a great number of the Men had in consequence of this violent attack deserted who were replaced by others hired and sent up from Montreal at a heavy expense

Application in consequence of the Outrage and Seizure was under the Sanction of your Excellency made by His

Majesty s Ministers to the Government of the United States for reparation and an order therein was issued by the Secretary of the American Treasury to restore the Boats and property so seized but upon condition of giving Bond in double the value to abide by the decision of the American Courts and requiring other preliminaries which could not be agreed to by the Memorialists without acknowledging American Jurisdiction in a question foreign to it and thereby abandoning the strong ground whereon they stand as British Subjects pursuing their lawful business under common rights of free Navigation solemnly secured by the Treaty of 1794 (whereby the Post of Niagara from whence the said Outrage was committed was delivered up to the States) and especially the Third Article of that Treaty

Their property therefore remains detained in custody of the Customs House Officer of the United States at Niagara upon the pretext of awaiting a decision in their Courts to the Competency of which the Memorialists object and maintain that the question is alone determinable by the Government of the Two Countries as involving matter of serious National insult as well as infringement of private British rights founded upon National compact

In support of this view of the subject the Memorialists have to observe to your Excellency that by the 3d permanent Article of the Treaty of 1794 His Majesty s subjects and the Citizens of the United States have common and equal rights to the free navigation of the waters where the seizure was made which being the result of a joint stipulation no impediment to such free navigation can be legally interposed by any Legislative Act or proceeding of any Officer of *One* of the contracting parties to affect the rights of the subjects of the *other* party without the previous consent of their Sovereign Upon this principle the Michilimackenac Company contend that neither the American Embargo non Importation or any other act of the States can govern the present case or controul or regulate the rights of Navigation stipulated by the said Treaty

That the requirement of British Boats when coasting the Lakes from One British Post to another to report or make entry at American Custom Houses (when there is no intention of Trade) would amount to a controul regulation and impediment of the Lake Navigation to the destruction of its freedom and wholly foreign to the intention of the contracting parties as will be seen by reference to the Treaty which Specially Stipulates for allowing regulation to the exercise of River Navigation in small vessels between Montreal and Quebec and for the free passage of goods across Portages in order to prevent ſtands but authorizes no other regulation whatsoever Consequently if a Special provision was needful to authorize regulation in respect to such rights as were to be exercised within the Acknowledged exclusive Territory and jurisdiction of one party how much more necessary would special Stipulation have been to authorize either party by its separate act to regulate objects common to both such as particularly is the navigation of Waters dividing their respective Territories

The Memorialists have understood that the Custom House Officer who directed the seizure of the Boats pretends to justify himself upon the ground that the Boats could not have coasted the Lake without touching the Land although he neither had or could have a knowledge whether such was the fact but this is a mere subterfuge for the right of Lake Navigation common to both Nations necessarily implies its being exercised in a way practicable to the Vessel Navigating whether *Decked* or *Open* If the *former* she must sometime anchor when the wind is contrary and if the *latter* stop on the beach without any infringement in point of good faith when there is no purpose of trade or any object Stopping beyond the necessity of waiting for wind weather or daylight to resume the voyage

Such a quibble would render the object of the contracting parties a mere nullity and were a common highway the boundary between two adjoining Nations as well might it be agreed that the fair use of a resting place on either side occasionally to relieve a weary Traveller would be prohibited in the exercise of the right of free passage

The outrage complained of involves two distinct points of consideration One affecting the National dignity by the insult offered thereto in sight of a British Garrison and in waters of common right by the marked Hostility of firing upon His Majesty s Subjects when defenceless by Armed Soldiers of the United States The other an attack upon the rights and property of British Subjects whereby they have sustained great pecuniary loss and damage requiring indemnity

As to the first point the Memorialists consider that it would be presumptuous in them to suggest the quantum or kind of redress fit to be insisted upon Such remains with His Majesty s Ministers but they cannot avoid observing that it is not a little extraordinary that those who are so clamorous for general free Navigtion in cases authorized neither by the Law or practice of Nations should themselves so arrogantly violate the rights of free Lake Navigation when specially secured by a compact to which they are a party and that those who were so irritable in the case of the Chesapeak when a provocation not to be borne was previously given by them should so unfeelingly fire without any notice upon unarmed men who never afforded them even in shadow of pretence for so doing

As to the Second point Viz The heavy loss and damage sustained by the seizure of their property a Statement of which is annexed the Memorialists entreat that your Excellency will be pleased to lay the same before His Majesty's Minister that a full pecuniary indemnity to them for the injury in all its consequences may be demanded and obtained from the Government of the United States

Such cannot be less than £20 000 exclusive of the actual cost and charges of the goods and absolute disbursements in various ways made respecting the same making in the whole the sum of £26842 5 6 Sterling The said sum will be found moderate when it is considered that the value of the year's Outfit for the Trade exceeds £80 000 The plans for which were not only deranged by the Seizure of goods forming a necessary part of the assortment but the discouragement of the Partners Clerks and Men of the Concern who winter among the Indians has thereby been such as to create a despair of success and consequently will produce a diminution of exertion when they see so evident a proof of a plan to render it unavailing

The above however are not the only grievances respecting the United States of which the Memorialists have had to complain in common with other British Subjects within the American Territory for they have long suffered under the requirement of passes extortion in duties and vexations in various ways which the Treaty according to its fair intent and meaning does not authorise as what can be more evasive oppressive and preposterous than the American mode of exacting the duties on goods carried by British Subjects from Canada into the American Territory upon a *scale of calculation* that in its *principles* might in some cases subject them to the payment of nearly double duty and in no case on articles rated ad valorem does it amount to less than an eighth part more duty than is paid on the like articles by an American at an Atlantic Post

Surely such could never be the meaning of a Stipulation about duties made for the very purpose of assuming an equality in that respect to Indian Traders whether British or American wherever they might come into contact

The Memorialists have for some time seen progressing with extreme concern a systematic plan to drive the British Indian Traders from the American Territory by every species of vexation and they must soon succeed if His Majesty's Government does not take up their cause with decision for it was with feelings of a very unpleasant kind that they found the

Negociators with America appointed under the late Ministry postpone the discussion of their grievances (although fully represented) to an indefinite period without any Stipulation for the cessation of those fiscal extortions under which they were and are in the meantime suffering

The Memorialists therefore take the liberty of impressing upon your Excellency's attention for the information of His Majesty's Ministers the following consideration That the Indian Trade within the American limits must speedily be abandoned by British Subjects if not protected against interruptions of free Navigation of the Lakes Fiscal extortions and various vexations That if once abandoned it can never be regaind and with its abandonment will finish British influence with the Indian Nations residing without the limits of Canada That British Traders have materially aided in preserving that influence hitherto the conviction of which is the strong motive with the American Government for wishing by every means they can devise to exclude such Traders

If therefore the minds of His Majesty's Ministers shall be made up to the loss of that portion of Indian Trade carried on within the American Territory (which indeed is nearly the whole excepting the North West) and to the extinction of influence among the Indian Tribes as above said then in such case it will only be necessary to obtain reimbursement to British Traders of past fiscal extortions and indemnity for the losses and damages consequent upon the late seizure of the property of the Michilimackinac Company as also a consideration for the abandonment of their establishment in the Indian Country But if His Majesty's Government shall consider such Trade and influence as fit to be preserved that can only be done by obtaining reimbursement and indemnity forthwith in respect to the past and assurance of exemption for impositions and vexations in future And further the Memorialists are of opinion that if British Traders do not obtain the right of going to the West side of the Mississippi to trade as heretofore (the exclusion from which the Americans are now about rigidly enforcing upon pretext of that Country not being comprehended in the Treaty of 1794) they must in any event soon abandon the Trade to the east of the Mississippe as an object not worth pursuing

The Memorialists consider it proper to add that they are able to substantiate the various facts herein set forth They therefore most respectfully entreat Your Excellency to lay their complaints and observations before His Majesty's Ministers that such measures may be adopted as in this wisdom shall seem meet for obtaining the needful redress in the premises and they were ever pray &c

Montreal 20th October 1808

Forsyth Richardson, & Co
M Tavish McGillivray & Co
James & And McGill & Co
Parker Gerrard Ogilvy & Co

Estimate of the Loading of Eight Batteaux or Boats the property of the Michilimackinac Company seized on the Waters of Lake Ontario and in the Entrance of Niagara River by John Lees Collector of the American Custom of the Port of Niagara on the 21st May 1808 with the various Expences and Damages incurred in consequence of said Seizure

Prime Cost and Charges at Montreal of the goods	5218 11 5
The Expence of these Boats including Men's wages provisions &c	828 6
Expences incurred by desertion of Men in consequence of the seizure Mens Wages to replace the Deserters provisions	570 13 7
Expences incurred by Messrs Michaels & Nichols on their mission to Washington & Mr Bleakleys to Niagara	225
Injury sustained by the Seizure in derangement of the Trade &c &c Our Business was at a Stand for a considerable time not knowing whether the rest of the Boats might not meet the same fate the progress of our Affairs was thereby arrested at St Joseph and the whole of our Goods to make out our Outfit eventually disassorted which were in consequence made very deficient and incomplete more particularly with respect to Guns Gunpowder and Blankets Articles indispensible in our Trade from this circumstance results many doubts in the minds of the people in general and particularly the Indians with respect to our rights within the American Jurisdition which threw a damp on our Credit in the Country and may lead to the most injurious consequences	20 000
Sterling	£26 842 5 4

Montreal 20th October 1808

Forsyth Richardson & Co
M Tavish McGillivray & Co
James & And McGill & Co
Parker Gerrard Ogilvy & Co

(Endorsed —

Memorial of Merchants at Montreal 1808)

It was accompanied by the following letter addressed to the governor general s private secretary

Montreal 15th December 1808

Dear Sir —

The propositions before Congress for non-intercourse will if carried into a Law so seriously affect the interests of the Michilimackinac company who have a very large property now within the American Territory in the Indian Country and the nature of *whose Trade* requires expensive preparations to be made during the winter for *that* of next season that it is of essential importance to them to ascertain with as little delay as possible whether the non intercourse is intended to do away the permanent part of the Treaty of 1794 or if there is to be a special exception in regard to the Indian Trade carried on by British Subjects from Canada as was the case in the existing non importation and embargo Acts —

I am therefore directed by that Company to request you will have the goodness to communicate to His Excellency the Governor in Chief their intentions of sending to Washington a person with a Letter to His Majesty s Minister there for the purpose of soliciting his aid to ascertain the intended operation upon Indian Trade from Canada of the said propositions

They most respectfully entreat His Excellency that he will be pleased to recommend to Mr Erskine the obtaining the information in question as involving momentous consequences to the property and interests of many British Subjects

The person intended to be sent to Washington will remain for Mr Erskine s answer and will be one to whom every confidence may be reposed as to safe delivery of any despatch which His Excellency the Governor in Chief may see fit to send as also to bring safely back any dispatch which may be confided to him but will not possess sufficient understanding to be entrusted with personal communications being only a faithful servant who is acquainted with the route and mode of travelling in the States

He will pass through New York and could leave with His Majesty s Consul there any dispatches or letters intended for England by the Packet —

I have therefore very respectfully to request His Excellency that such dispatches as he may be pleased to send for that conveyance be transmitted to me as early as his convenience will allow of —

I am with respect and regard

Dear Sir

Your most Obedient and Humble Servant

JOHN RICHARDSON on behalf of the Michilim'c Co

Herman W Ryland Esquire

Endorsed

15th Dec 1808

From Mr Richardson

The writer of the following letter was for many years one of the principal merchants of Niagara and its first post master a justice of the peace and commissioner of highways

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 29 Decr 1808

Dear Sir —

It is rumoured here that Government are about to dispose of the Land at the sixteen Mile Creek in this District (containing the salt springs) upon certain terms

Being at present out of business and of a disposition for exploring I am vain enough to imagine that in the possession of them they would be of greater benefit to the public than they are at present

At the same time far be it that I should in the most remote degree Aim at the rights of others

A Line from you on the above subject will greatly oblige

(Sundries U C 1808)

James Crooks was another energetic merchant who was one of the first if not the very first of the persons who shipped flour to Lower Canada He had lately married Jane eldest daughter of Thomas Cummings of Chippawa who was engaged in the same business The right of developing water power above Niagara Falls had been the subject of many previous applications

FROM JAMES CROOKS TO WILLIAM HALTON

Niagara 16th March 1809

Sir

When at York a short time ago I had the honor of sub-mitting to the consideration of His Excellency the Lieut Governor the Petition which I now beg leave to inclose the prayer of which is to solicit a Grant of some small Islands in the River Niagara nearly Opposite to the Bridgewater Mills with the view to the erection of similar ones and other Machinery of which this flourishing part of the Province placed under His Excellency s care stands greatly in need of —

I owe an apology for obtruding again upon His Excellency s most precious time after the answer he was pleased to make that he could not Grant Islands but the importance of the Application as well to myself as to the Country impels me in the hope that His Excellency viewing it in relation to the latter may be pleased to point out the channel thro which application should be made And by giving his sanction, promote it

Should his Excellency be pleased to give to this application any of his attention you will by communicating confer a favor on

Sir

Your most Obedient &c

JAS CROOKS

(Sundries U C 1809)

John Warren who had entered the army as a drummer boy had been assistant commissary general at Fort Erie for about thirty years and when it was created a port of entry he was appointed collector of customs and inspector of flour and pot and pearl ashes He retained the former office until his death He was named as a magistrate in the first commission of the peace and commanded the third regiment of Lincoln militia for many years

FROM JOHN WARREN TO WILLIAM HALTON

Fort Erie 6th April 1809

Sir

His Excellency the late Lieutenant Governor was pleased to grant me the appointment of Inspector of Flour and Pot and Pearl Ashes for the District of Niagara my advanced Age renders me incompetent to the Duty I therefore beg leave to submit to His Excellency Lieutenant Governor Gore the propriety of my resigning said appointment humbly requesting his permission to do so It is not for me to presume to recommend any Person for the appointment, yet I humbly beg leave to say I do not know any Person more fit than Mr John Muirhead of Chippawa nor should I even have attempted to mention him was it not that His Excellency's goodness might induce him to think that I might wish it for one of my Sons, which I realy do not nor would the appointment suit them —

(Sundries U C 1809)

The imposition of fine upon indigent offenders some times was attended by awkward consequences and required the intervention of the magistrates to obtain a remission of the sentence

PETITION OF MAGISTRATES OF NIAGARA

To His Excellency Francis Gore Esquire Lieutenant Governor of the Province of Upper Canada &c &c &c

The Respectful representation of the undersigned being Justices of the Peace in and for the district of Niagara

Humbly Sheweth

That at the last General Quarter Sessions of the Peace held at Niagara in the month of April now last past certain men named John Shaw James Conway Elisha Bundy Cornelius Barns J V Lambert James Harris and William Ingram were indicted and convicted of an Assault and false imprisonment on the person of one Zach Harvey a Citizen of the United States

That the judgment of the Court was that each of them should pay a fine to the King of Ten Pounds Currency besides an Imprisonment of two months in the Common Gaol

That the term of their Imprisonment is nearly expired, but they are totally incompetent to pay the respective fines imposed upon them and that without Your Excellency's benign interposition they must suffer a perpetual imprisonment

The Justices aforesaid have further to represent to your Excellency that from Circumstances that have since come to their knowledge had these been known at the time the Fines would not have been imposed or at least greatly lessened —

Wherefore the undersigned Justices respectfully request your Excellency would remit the aforesaid Fines as Imposed on each —

SAML STREET J P
ROBERT KERR J P   ROBT ADDISON J P
THOMAS DICKSON J P   J BALL J P
THOMAS CLARK J P   J MUIRHEAD J P
JOHN BALL J P

Niagara 5th June 1809

(Sundries U C 1809)

Since the organization of the province a considerable number of Mennonists and Tunkers mainly Germans from Pennsylvania had come in and settled for whose encouragement an act had been passed in 1793 by the provincial parliament exempting them from service in the militia on certain conditions Their sons were now becoming liable to enrollment on attaining the age of sixteen

THE PETITION OF MENNONISTS AND TUNKERS

To the Honorable the Speaker and Members of the House of Commons of Upper Canada in Parliament assembled

The Petition of the Society of people called Mennonists and Tunkers,

Humbley Sheweth,

That by an Act of the Province passed in the thirty third year of His Majesty's reign Your Petitioners after producing a certificate from three or four respectable people one of whom must be a preacher in the Society to which they belong shall pay in time of peace Four Dollars a year and in time of invasion or insurrection Twenty Dollars a year for which favorable law and liberty of conscience we are thankful to God and the Government under which we live And whereas many of Our Sons now under age and incapable of judging in matters of conscience are not as yet actually considered as Church members and cannot of course secure the necessary certificates we therefore humbly pray the same indulgence may be extended to them that is granted to ourselves that is that they may be exempted from serving in the Militia by paying the commutation money until they arrive at the age of twenty one or until they be admitted as Church Members

And your Petitioners further pray that your Honorable Body will take into your consideration the many difficulties which poor people with large families have to labour under in new settlements and if you in your wisdom should deem meet to lessen the burden of our commutation money Your Petitioners as in duty bound shall ever pray

This petition which was read in the Legislative Assembly on the 10th February 1810 was signed by two preachers two elders, and thirty five members of the Society of Mennonists and Tunkers who had become numerous in several townships of the Niagara district Another petition to the same effect read the same day bore thirty four signatures mostly in German script An act was accordingly passed during the session for the relief of minors of the Societies of Mennonists and Tunkers

The discontent existing among the Six Nations is shown in the following report from a veteran interpreter frequently known by the name of St John who had removed from the mouth of the Humber river to Ancaster where he had built a flour mill and in subsequent minutes of a council held with them

FROM J B ROUSSEAU TO WILLIAM CLAUS

Ancaster March 1st 1809

Sir

I have taken the earliest opportunity to transmit to you (John Fraser) an exact Translation of a speech made in Council by the Six Nations of the Grand River held at the Onondaga Village relative to their land Affairs as well as respecting the White Settlers on the said River and within its vicinity — I met them in Council pursnant to your desire and also their request

They have proposed to send you their resolves made in Council in Writing (which is according to a report made to me by John Fraser) but should it not come to hand in due time you can depend upon the reality of the inclosed Why I say so is because I have understood that since I left them they have either Added or altered their Minds in some respect

During the time of the foregoing part of the Council Harahogah and ten other others of the tribe (of Mohawks) including Doctor Aaron seemed to agree to the resolutions of their Brethren excepting when it came to the determination of Mr Jones s land which did not appear consonant to his & their opinion and in some consequence thereof they left the Council before the issue of the business was closed The different Nations met in Council were the following — Onondagas Senecas — Lower Kayugas — and the great part of the upper Kayugas excepting the little Chief Kachanion — Tuskaroras — Oquagas — excepting Joseph and the Oneidas — A Tuskarora Indian has lately arrived from the United States and used his influence among them exciting them to leave off the use of spirituous liquors his prevalence has had the desired effect for the present — how long they will remain in sobriety will be better known hereafter They have not appointed a number sufficient to transact their business which was according to request last fall but instead of following your desire have only nominated a few — which will more fully appear at their arrival at Fort George — with the translation of their Speech — for which purpose they are merely nominated to deliver the speech to you — its probable I shall be down about the time that the Indians deliver you their speech & if any difficulty should take place perhaps it may be in my power to explain it The two Hurons was detained at the Council place about one Day

I am Sir &c

J B Rousseau

Wm Claus Esqr
Dy Supt General
Indian Affairs &c

P S I attended Council for the space of five Days before their business came to a determination

(Claus Papers Vol 9 pp 259 260)

Proceedings of a Council with the Six Nations

At a meeting held at Fort George — Council House — Friday 10th March 1809 — with the Chiefs and Warriors of the 6 Nations at the Gd River

After the D S G returned their Message (4 Strings of Wampum) & saluted them Old Paterson a Mohawk got up & spoke as follows

Brother

I salute you in the Name of all the Nations from our place & desire you to listen to me you have many branches of business to attend but we have something now to communicate to you that comes from the bottom of our Hearts

When any business is to be done the Chiefs first assemble & consult & when the Chiefs find it of such a Nature that they can not settle it, it is referred to the Warriors & should they not agree, the Women take it up those customs are well known to you.

Brother

When we first got acquainted with White people, we had a person Peter to instruct us in our business after this Man your gd father Sir W Johnson came in his place he was our friend and when he gave us anything to drink he always told us to take it off from that Name he was very kind to us & never let us want he gave us every thing in good humour, he got acquainted with our customs & manners & told us he thought he would put us in a better way of doing our business, his advice to us was to listen always to our Father, the English King but that if we attended to the french that we would fall, we saw his words were strong & told him we will attend to them it is a strait road & we shall certainly follow it & that we would always have some young men on the watch & if any

danger appeared he should know it & he promised to do the same by us & cautioned us against the white people who were making Settlements on the River & held us strong by the hand that none might break us loose from the King & said our Arms should be hung with silver that it might not take rust now

Brother

I have explained to you the whole of the early proceeding between your forefather & us. it is our firm desire that we should walk in the same road all the Chiefs here present remember those transactions & we remember he gave us every assistance when we were disturbed on the River he used all his influence to keep us united & we hope his gd Son will do the same for us— we still remember that when he laid down his head that we would have some difficulty

Brother

the bad Birds still fly about to you & us We bury this & not listen to them

Old Clear Sky then addressed the Chiefs & Warriors & said after they consulted together on public business they according to their old custom communicated the result to the Kings fire & that our young Chief Blank will speak & we desire the Supt to listen

——spoke

Brother

You who have the charge of our affairs listen to us I speak as the Six Nations what I say now is their words and sentiments therefore listen attentively — we did not finish our business at the long House but have since here

Brother

The people our Brethren on the other side (Buffaloe Creek) have given up their claim to the Genl Council fire & it is kindled at the Gd River at the Onondaga village — the last business done here was much to your satisfaction you expressed yourself so it was so to us it united us in a great measure therefore it must have been gratifying to us but there still appears to us some difficulty which we will relate to you I am very sorry to inform you that notwithstanding all that the Chiefs have done that there is Something that affects us much & you also notwithstanding the Belt passed all round the Nations there is still something necessary —

Brethren (addressingt the Indns)

Listen to me when at the Head of the Lake last fall the business was defered untill we met at the Long house as there was something yet that was not right

Brother

You then strongly recommended to us to consult together at our Council fire & try our utmost to come together & let you know you requested us by Wampum to strengthen ourselves & be one & we came together & agreed upon our public concerns & wished to appoint 15 or 20 principal men to transact the business for the whole of the Nations on the Gd River for there purposes we have used our utmost endeavours but have been so unfortunate as not to succeed. I regret to say that you see two parties before you but do not look on us as the aggressors we are the Chiefs & great men one thing is the cause of our misfortune Land if that was removed we might perhaps come together I wish you to comprehend me it is not the large party that makes this difficulty — we have come to lay the business before you & request you to assist us we have laid the business before you & call on you for your help & we think you may be the means of doing every thing for us that we can wish & we have also made up our mind to keep our lands it never was the king's intention that we should part with them we do not want to throw them away what has been confirmed we have nothing more to say to & also some where there has been people settled for some time but there is others we wish to speak about those latter lands may be of some benefit to our rising generation

Brother

About 5 years ago we began to get some insight into our land business at the Council you held at the Grand River at that time we came to an agreement that you should have the charge of our money we wish to have some Security for the property sold the King pays you & we wish you to continue the charge of our money & we request that the Governor would have the goodness to get us an acct of our money that is lodged in the Funds & the Interest arising therefrom Annually

Brother

We have been very foolish & parted with our lands we have grown wiser the Land sold to Steadman it appears great difficultys have arisen if we can with justice we wish to have it returned to us

A tract of land on the Governor's road has been laid out as We are told for the payment of Surveys we know nothing about it & wish it to be withheld again there is another man at the head of the Chippewa (Canby) who has got land on the same road it will make us poor none of the Chiefs know any thing about either & lower down Mr Mallory has got a piece of land we know nothing about any of them A number of families who have settled on the road to Long Point (Mount pleasant) we receive no advantage whatever from them we wish that it may be leased for 20 years that we may get something for them & at the expiration to revert to us there is one man in particular And Nelles we wish your attention here also — The Lands for D Kou s child & Brant Johnson we wish to remain just as they were neither to strengthen nor to weaken them there are some people on Fairchild s Creek who are settled there without our knowledge that Land on the road from the Head of the Lake given to Capt Brant we wish confirmed to Mrs Brant

Brother

I now go down the River there are some there in the same Situation without our knowledge by the Delaware Village there is a Tract of Land for a Surveyor of 4800 acres we do not know any thing about it we wish it to be thrown into our Lands again this is Mr Aron & the lower Kayugas doing by the advice of Mr Phelps It has been the wish of some to divide the Lands & the line to cross by Mount pleasant this we never would consent to for many reasons it would in the first place make a final division among us & again as we are living in the Heart of our Father s Country we ought to be as one in case of any trouble that we might give him all our assistance in his troubles with his Enemies

Brother

Here he repeated the speech delivered them by the Govr on his arrival in the Country

Brother

We now request you to make him acquainted with our wish & that we may have a Deed for our Lands that remain as the white people are constantly throwing it up to us that we have no Land

NOTE With a View that they should get a Deed that they may Rob you of your Land — Three Names were mentioned John Thomas Weir Nellis

Brother

We now come to the loss we have met with in our Mill being burnt we remember the Govr who died at Quebec sent a man to look for a good place to build a Mill for us when the old Mills were burnt Some years ago but he heard that Capt Brant was going to build a mill & he stoped we now in the Name of all the people on the Gr River ask our Father to Build us a Mill to grind flour & make bread as he did for us before we have also to ask of him to change the school master that we have as he will not attend to the Children & we wish to have a man to speak English

11th March the Chiefs assembled at the D S G's Quarters & after examining the plan of the Grand River & pointing out Several places that were occupied by people that they conceived had no right to settle on them finished by the Onondaga Chief laying his hand on a Spot of Land at the Mouth of Grand River & saying

Brother

The person who has been working for our benefit in our Land affairs for these 5 years[1] we think we ought to give him something we therefore agree to let him have this Spot of Land at the Mouth of our River but we expect that he will always give us his advice & help us with our Lands and all other matters and where the Land is required he may be absent or Sick we expect that in that case he will find some body to do any thing that may be wanted by us

Fort George Council Room
March 13th 1809 Present

Col Procter Commanding
W Claus D S G
Major Short 41st Regt
W Saunders Lt & Adjt 41st Regt
Alex Eager
Thos. Barnard Ensign 41st Regt
David Price Benjn Fairchild
J B Rousseau Interpreters

Blind Paterson spoke

Brother

The Great Spirit has been pleased to let us meet this morning at Our Father's Council Fire to Speak in the presence of our Brothers the Officers of the Fort we return thanks to the Great Spirit & open your Ears that you may hear & and your Eyes that you may See

Brother

We met you here 3 days ago & talked over all our own old & early promises with our forefathers & yours & I will now repeat the Same in the presence of our Brethren the red Coats

Here Paterson repeated what past on the 10th The young

Onondaga Chief then spoke

Brother

Listen, we now have met to finish our business here we have told you before all that we have been about at our Council at the long house we have spoke about our Lands & now agree that the Surveyor (Jones) may have half of the Land at the Govr s Road (600 acres) but no more

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[1] William Dickson

We have many difficulties among our other white people that are settled on our Lands they steal our Hogs work our Horses & we can get no redress & when we speak to them they throw it in our faces that we have no land & the upper part of the River we are told is not ours but belongs to the Chippawas this is very hard & we hope you will assist us the Lawyer who helped us so long we wish to have confirmed to him the Land we give him at the Mouth of the River & for which we expect he will always give us his advice in Land business & help when those people rob us of our Cattle upon these terms we give him the Land & we expect that he will give us in writing that assurance and that the D S G & the Comdg Officer will sign it

Brother

We have something more to mention to you a Lawyer (Mr Borthwick) came to us some time ago & asked us for payment of a Note of hand this some of our Chiefs Lent their Names to for W K Smith & told us we had better pay him quietly that if we did not he would put us in Gaol this hurt us much now Brother we hope Mr Dickson will help us in these matters with your assistance —

Old Clear Sky

Chiefs & Warriors — It is customary among us when any person has any concern with us to give him a Name that we may know him the person whom we have given some Land to for doing Land business for him we call four Eyes — by which we shall after this know him

W Claus D S G

(Claus Papers Vol 9 pp 263 279)

At the fall assizes a strong recommendation to mercy was made by the petit jury for one of the early settlers of Stamford who had been convicted of some unnamed offence It was supported by a petition signed by a number of the leading magistrates and many other respectable residents

Recommendation of the Petit Jury

The King
vs
Silverthorn

The Petit Jury in finding a Verdict in this case are governed

by the evidence before them but being all of them personally acquainted with the Prisoner, and some of them from his youth to this time beg leave to state to the Court that his demeanour thro life has been peaceable with this one exception — That he is an honest man and has by his industry and frugality acquired a handsome property — He has a large family who are deeply interested in his fate The Jurors therefore separating his general conduct from the substance of the evidence given against him in this case beg leave to recommend him to the mercy of the Court —

S Street Jr
Abraham Bowman
Arch Thompson
Chas Willson
John Thompson
Ebenezer Skinner
Thos Cooper
Adam Bowman
Aaron Crane
John Knox
John Burch
Adam Hutt

Niagara Septemr 29th
1809

(Endorsed in Pencil 'Pardon')

The Petition of Magistrates and Others

To His Excellency Francis Gore Esquire Lieutenant Governor of The Province of Upper Canada &c &c &c

The Petition of the undersigned Magistrates and Inhabitants of the District of Niagara

Humbly sheweth

That most of your Petitioners were present at the Trial and conviction of John Silverthorn of the Township of Stamford at the Court of Oyer and Terminer last holden for the said District of Niagara

That they were impressed with sentiments that such Trial and conviction was had upon the strongest Evidence under the most humane and tender Charge from the presiding Judge and that the convicted had the most fair and impartial Trial

That your Petitioners feel that the solemnity of his Trial and the exposition by the Court of the existing Laws must have impressed upon every hearer the aggravated Crime of which he stands convicted and cannot fail as effectually to restrain the Commission of a like Offence as if the sentence of the Law was carried into execution

That the unhappy Object of this Petition is one of the earliest Inhabitants of this Colony and his Character and conduct precedent to the act for which he has been convicted has been such as to approve him a firm adherent to His Majesty's Government and induce a ready obedience to the Laws of his country

Therefore we his Majesty's most dutiful and loyal Subjects humbly beg leave to recommend to your Excellency the unhappy convict as an Object of His Majesty's regal mercy and compassion

J Muirhead
Robert Kerr
John Symington
Jas. Crooks
S Hatt
Thos Cummings
Robt Nichol
John McEwen
William McKean
John J Lefferty
Isaac Swayze
William J Kerr
John Clark
James Secord
William Chisholm
A Cameron
Geo Hamilton
Thos. Clark
John McKerlie
Calvin Banister
William Robertson
James Racey
Thos McCormick
Wm Gilkison
James Cooper
John Reilly
Benjamin Corwin
Adam Spencer
Peter Wright
Jonathan Doan

Will Crooks
Amos Chapman
Jas Coffin
Jno Powell
T Butler
(Illegible)

J P Ball
John Ball
Ralfe Clench
(Illegible)
John Muirhead
Johnson Butler
Alex Stewart

A letter from George Hamilton to Charles Askin, dated at Queenston on the 19th December, 1808, announced the serious illness of his father, which eventually proved fatal, and his fears of an unwise third marriage, then apparently not improbable

"I have but a Moments time to answer your kind letter of the 5th Instant which I only received yesterday — I can easily forgive you for not writing to me as it was as much my fault as yours I am sorry to say my Father has been confined to his bed for this Week past with a severe cold which settled in One of his knees & has given him such pain as to prevent him almost from sleeping or eating since — & Unfortunately to add to the evil the Doctors Mistook the complaint entirely were applying things that only made it worse however yesterday they found it out to be an Erisipelus or St Anthonys fire & have altered their plan the inflamation to day seems to have fallen into his ancle and I hope with a few more applications they will be able to drive it away entirely

I thought Lyons Marriage would surprise you and I agree with you that it was the best thing he could have done to add to his happiness he was a month ago blest with a fine thumping boy his very picture I have likewise to ask your congratulations on being advanced to the dignified station of an Uncle my Nephew is a fine little fellow & promises to be every bitt as crabbed as his father[1] — Your friends Mrs Conway & Smith have likewise been productive in the same way — Now for the Marriages James Crooks has been United to Miss Cummings[2] & William to One of the Miss Butlers[3] — Our friend Featherstone has also at last been favoured with the fair hand of that fickle Nymph Miss Duane — that foolish fellow Gallipeace to a Child of 13 years Old & who has already twice left him at her Mothers instigation in order to draw Money from him to get her back — She has a third time gone off to Buffaloe Creek & he poor infatuated Devill has slipped after her with bag & baggage — you will say this is all very pleasant News but here follows some not quite so agreeable — & Will surprise you very Much Could you or anybody else ever conceive so unlikely a thing to happen as a Marriage between my Father & the Widow Forsythe[4] of all the weomen in the World but which I am afraid Will be the case — I had observed & was pleased to see that my father was fonder of visiting his friends in Niagara than usual thinking that the exercise would be of great Service to him & never suspecting the least what was going on until it was whispered to me a fortnight ago that he was all this time busy in paying his addresses to the

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[1] This child was Robert Hamilton the third of that name (1808 1868) son of the second Robert Hamilton [2] James Crooks and Jane Cummings daughter of Thomas Cummings of Chippawa were married on December 8 [3] William Crooks and Mary Butler were married on December 1 [4] The widow of George Forsyth a merchant and magistrate at Niagara who died in September 1806

Widow — & I have since drawn out from Peter[1] that she One day when Peter was comeing up took & locked him up in her Room & desired him to tell his father that it was a fine day to take a Ride & that the next week would be a good time to settle their business he immediately after this Message sett off in the Chair his sore leg has intervened since that & she yester day came up in One of the Worst days you ever saw to see him & remains here still notwithstanding I have gott both the Doctors to speak to her & to tell her how very indelicate & improper it was for her to remain here at this time All his friends you may believe feel very indignant at the Idea of such a Match & have I believe talked him pretty severely about it but I am afraid too late to do any good — He has never Mentioned the business to any of us but if he does I will tell him what all his friends think of it whatever may be the consequences to myself as I cannot bear the idea of his making himself uphappy for ever without warning him of the consequences — I mention all this to you my Dear fellow as I know it will be as safe with you as with Myself — you Will take care in writing to me to inclose the letter to Wm [2] or Lyons[3] or anybody you may be writing to with directions to give to Myself — Your letter brought me the first news of your fathers accident & we were glad at the same time to hear of his recovery — My Father desires me to say that he cannot write at present but will by the first Oppy when he getts better — Pray have the goodness to answer this by the first Oppy that I may know it has come safe to hand — James has just come to take this down to the Post so I must conclude this long scrawl

(Askin Papers Dominion Archives)

A letter from William Robertson to Charles Askin written on the same day states that Robert Hamilton s condition was even then considered serious

Queenston Decr 19th 1808

Dear Charles

We are all happy to hear that your Father is so fast recovering the use of his arm — to a man of his years it was an unfortunate accident you ought not to allow him to go out in any carriage without one of you with him — his loss to the Family would be lamentable — I know well their affection to him

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[1] Peter Hunter Hamilton seventh son of Hon Robert Hamilton and half brother of George Hamilton [2] William Robertson a merchant at Queenston and a maternal half brother of George Hamilton [3] Probably James Lyons a clerk for Hon Robert Hamilton

He will be very sorry to know that our good Friend Mr Hamilton is at present rather in a dangerous way — being some days ago at Niagara he caught cold which settled in his knee — it is much swoln gives him acute pain and is attended with some Fever — I think the Doctors call it an Erripselis — I was with him last Evening, he gave me your Letter to read — enquired if you said anything of what you were doing — said he was afraid it was not much I have heard him before express his surprise at your not writing him on this Subject considering the Interest he took in your Wellfare you must certainly have been neglectfull if not worse

With respect to your Memorandum left with me the following Letter from Jno Warren jr will (in part) explain what has been done

Fort Erie Octr 13th 1808

Your favor of the 6th Inst is now before me — Capt Chapin has not as yet delivered the Salt I shall soon make a 2d demand for the payment of his Note Agreable to your wish I have disposed of the Vessell and rigging to the Fellow who built her (Daylay) for eight bbls of Salt — all the rigging I could save is but little all the small ropes & running rigging was taken as well as all the Iron that could be come at before I had any command of her — I think she is tolerably well disposed of — If the Fellow comes forward as agreed on

(Signed) J WARREN’

“Mr Warren has just arrived — Chapin has gone down the Ohio and Daylay has not as yet performed his agreement

(Askin Papers Dominion Archives)

White pine on all Crown lands had been strictly reserved for the benefit of the Royal Navy and the Surveyor of Woods and Forests had been consequently instructed to report where such timber was to be found to prevent depredations

FROM MAJOR CHRISTOPHER HAMILTON TO WILLIAM HALTON

Fort George 9th Novr (1809)

Sir/

I think it my duty to state to you for the information of His Excellency the Lt Governor that it has been reported to me that a Man of the name of Martin who is building a Vessel at the head of the Lake is cutting a quantity of White Pine

which I understand is reserved for the use of his Majesty

I have the Honor to be &c

C. HAMILTON
Major 100th Regt. Comg
Ft. George

(Sundries, Upper Canada, 1809.)

The sheriff of the Niagara District, who was also Surveyor of Woods and Forests, was instructed to investigate and made the following report:

Niagara 9th December 1809

Sir

I received your Letter of the 11th of November and in obedience to His Excellency's directions went to the Head of the Lake and made the necessary enquiry. I examined and found some Oak timber in Possession of Mr. Martin but of so little Consequence that I did not think it merited any attention, there was no White Pine Cut on any reserve. I informed him of the impropriety of Cutting timber on His Majesty's reserve without permission, he said he was sorry for having cut the Oak timber but would Cut no more. —

I have the Honor to be &c

THOS. MERRITT

Wm. Halton Esquire
York

(Sundries, Upper Canada, 1809.)

A proclamation was published as a result of this and other information on the 29th December, 1809, announcing that "any Person cutting Timber on our Crown Lands ungranted, or on our Crown and Clergy Reserves" is guilty of a misdemeanor, subject for a first offence to a fine of £20, or twelve months' imprisonment; for a second offence to a fine of £30 or imprisonment for eighteen months; and for a third offence he shall be deemed guilty of a felony punishable by transportation for seven years. All timber so cut was to be seized and sold for the benefit of the revenue.

A tattered and scarcely decipherable letter from George Hamilton to Charles Askin among the Askin Papers gives a further account of his father's declining health and damage caused by an astonishing ice jam in the river.

Queenston Jany 20th 1809

Dear Charley

I have this day received your short favour by the Mail

illegible Lyons swears the next time you play him such a slippery trick he will send you a role of Wrapping paper & let you pay the Postage & Squire William does not seem in much better humor Every body here felt sorry for poor Laughton that from his weakly appearance his friends did not expect to see him again We were not surprised to hear of the failure of the Detroit Bank fortunately nobody here has any of his Excellency's paper except the inclosed Bank Note 75 Dols which my Father has desired me to to tell you to make the most of[1] — Do not write anything particular to myself at present or if you do put it on a piece of paper by itself for the Devill would have it in spite of your precaution William Robertson unfortunately saw your letter inclosed in Lyons & Mentioned it to me before my Father of Course I had to get it to tell him the news When he asked me if there were any secrets in it I had to tell him there was which seemed to give him uneasiness for which I was very sorry as he is not well enough at present to be put out of humor tho a great deal better since my last by a constant application of Poultices they brought the matter to a head by making an inscission have succeded in draining a great deal of the (torn) humours out of it for this fortnight past but the knee is as much swelled as ever and gives him a great deal of pain when he attempts to put it to the ground which I can only account for by the constant cold applications for a fortnight without any effect may have occasioned to detention of the humors above the knee & has given the leg a Numbness Which I am afraid it will not soon recover however we must hope for the best The Doctors are not so much to blame as it was my Fathers earnest wish to dispell it if possible without making an issue in the leg but they should not have indulged a sick man so long in his own way when they saw it attended with no good the Ladys business remains in Statu quo and except and except (sic) an occasional visit nothing I fancy will be decided on till he gets better your River is nothing in comparison with ours about 2 Weeks ago we had some very violent Winds from the S West which broke up the ice in Lake Erie & drove it down in such quantities that for 3 days you could hardly see the water for the ice when it was closed opposite our house it only took an hour to fill up solid to the black Rock with a Ridge in the Middle nearly upon a levell with the banks in 4 hours afterwards people were seen crossing over — the ice raised so very fast that we began immediately to take all the goods out of our lower stores & put them into our large one & 2 days ago it only wanted 3 feet of overflowing the bottom it has completely up sett McCormicks[1] & has raised our little one almost on one end had not Mr Clark[2] taken the precaution to fill his falf full of stones it would have gone like the rest as it is some thing racked & had the ice raised a little higher nothing could have saved it he has about £600 worth of Iron in the Lower Store which he could not get away in time both the stores on the other side of the River are swept away with about 400 bbls of Salt & some whisky & Pork for the American troops the wind is now again at S W with a Violent thaw & I hope it will take away the ice without any more damage Sutherland has returned from Scotland without bringing J Robertson[3] with him which he says was only owing to the Govt not allowing any person to leave the Country without 2 Weeks or a Month s application before hand poor fellow I hope that may be the only thing the matter with him but Sutherland like a blockhead left the letter in his trunk at Albany I have just learned that it has arrived on the other side — Our neighbor Phelps[4] Miss Hull & Robt Dickson[5] set off yesterday on a Jannt to the States Phelps returns directly Miss Hull some time in April & R Dickson goes to N York & is not certain whether he shall come back here or go to Montreal We have a Weekly Club every week for the purpose of reading the Papers every One has a different paper & the person at whose house it is held takes care to send over the River & to Niagara for the Letters & papers after reading them we play at Cards till about 10 O Clock when we sitt down to a good supper & generally contrive to end the Evening very Jovially — Its Mr Dicksons to day & Jack Warren is waiting for thee — Dont you swear at me a little for making you pay the Postage for such long strings of Non sense but you must only be revenged by sending me as long in return here we are all in very good health & Wishing you the same blessing I remain &c

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[1] Established in 1806. Augustus B Woodward chief justice of Michigan was the president General William Hull governor of the territory was a small stockholder The names of Richard Pattinson and William Gilkinson of Sandwich also appear in the list of stockholders Collections of the Pioneer Society of Michigan Vol VIII p 575

(Askin Papers Dominion Archives)

The arrest of a band of forgers in March 1810 near Queenston caused considerable excitement and eventually much embarrassment to the magistrates This event was briefly described in a private letter from James Kerby then a clerk for

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1 Thomas McCormick (1784 1867) a merchant at Queenston 2 Thomas Clark 3 His half brother John Robertson 4 Probably Elijah Phelps (1740 1843) an enterprising farmer in Stamford 5 A noted trader in the Northwest brother of Thomas Dickson of Queenston and William Dickson of Niagara and a kinsman of Hon Robert Hamilton

Thomas Clark to Charles Askin of Sandwich

A few days since he wrote we Queenston Volunteers cheerfully turned out to apprehend in our neighbourhood Seven d—n Stout Strapping Yankees (and would you believe that Mr G Drake is deeply in the plot) that have long been in the habit of Uttering forged bank Notes to a very great Amount* — knowing them to be such they are all separately confined in Gaol We cant at present say how it will terminate — but with more proofs they will come under the jurisdiction of *hanging* — a bad fate [1]

The discovery of an attempt to liberate the prisoners greatly alarmed the sheriff Thomas Merritt who made an urgent appeal to Samuel Street chairman of the Quarter Sessions for assistance on April 18

I conceive it to be my duty to represent through you to the Magistrates in Quarter Sessions that the Gaol of the District is Crowded with prisoners many of whom are charged with the Crime of Forgery & that an attempt has already been Made by a Person apparently connected with them to introduce Clandestinely a file for the purpose no doubt of enabling them to escape

It is well known to many of the Magistrates that the Gaol is very insecure The Timber being in many parts decayed and as it is uncertain to what Extent the Confederary of Forgers and Coiners may exist it must be Obvious to the Bench that the Sheriff with his ordinary Means has not the Power to Effectually Guarding the prisoners — It is consequently become necessary to provide Additional Means for securing the County Gaol against all Attempts from without or within and at the same time by an immediate application to the proper Authority to procure a Commission for its immediate delivery

The Bench will do me the Justice to believe that every Exertion in my Power shall be used to prevent the escape of any of the Prisoners under My Charge but I must press on the Minds of the Magistrates that with my present Means & in the present Situation of the Gaol I cannot be responsible for the safe keeping of the Prisoners

An emergency meeting of the magistrates was held at Niagara next day and by their advice Mr. Street addressed a

letter to the Lieutenant Governor

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* This offence had become so frequent that at the session of the provincial parliament ending on March 12th 1810 an Act for preventing the Forgery and Counterfeiting of foreign Bills of Exchange and Foreign Notes and Orders for the Payment of Money had been passed

[1] Canadian Archives, Askin Papers Vol 16 [2] Ibid Sundries Upper Canada 1809

The Magistrates of this District in Sessions taking into Consideration the very critical situation of the District Gaol as faithfully detailed in the accompanying representation from the Sheriff and the evil which would result to the Publick at large should the daring Gang of Depredators now Confined therein escape the Punishment due to their crimes have by their resolution Authorised me to apply to your Excellency for a special Commission of Oyer & Terminer for this District which I have now the honor to do

The Sheriff has so fully detailed this business that I have nothing to add thereto but to express my Conviction and that of my Brother Magistrates that unless a Commission does issue without delay the Prisoners will escape and the ends of Public Justice be thereby defeated [2]

It was not found expedient to grant this request but a military guard was detailed from the garrison to protect the gaol until the regular assizes when five of the men accused were convicted and sentenced After having undergone a part of the punishment the prisoners petitioned for a remission of the remainder Mr Justice Powell before whom they had been convicted wrote on the subject from York on 21st March 1810 to William Halton secretary to the Lieutenant Governor

Charles Norton alias Philander Noble William Smith Crane Levi Kemble Roberts Samuel Spring and Joseph Harris were convicted at the last Niagara Assizes of a Conspiracy and sentenced to six Months Imprisonment from the 25th September last Pilory and a Fine of Twenty pounds each Imprisonment until paid & Security in £100 each & £50 two Sureties for their good Behaviour for two years — They have represented to the Governor that from their inability to pay the fine their Punishment will be perpetual Imprisonment which would never be the Intent of the Sentence — His Excellency in communicating their Petition to me as Judge of Assize expressed an Intimation to remit that part of the Sentence which continues the Imprsonment until the fine is paid altho in Complaisance to a foreign Government He declines remitting any part of the direct Punishments I therefore think His Excellency may desire to be informed that the direct Imprisonment ends on the 26th Instant '

When the court of Quarter Sessions met nearly a month later the convicts were still in the gaol and their case came up for consideration The magistrates wished to get rid of them and Joseph Edwards who had succeeded Street as chairman was instructed to recommend their liberation He wrote from

Niagara accordingly on April 17 to Mr Halton

I am requested by the Magistrates in General Quarter Sessions to represent to His Excellency the Lieutenant Governor the situation of the four persons in the Gaol of this District under sentence for a misdemeanor in forging and uttering counterfeit foreign notes for the payment of money. They have undergone the Punishment of standing in the Pillory and the term pronounced for their imprisonment is (some time since) elapsed, paying their fines and finding security for their good behaviour are entirely out of their power and must operate as Imprisonment for life.

As such they humbly intreat His Excellency to exercise the most amiable part of the King's perogative in granting them a free pardon for the remainder of the sentence. This their request they beg leave to assure His Excellency is not on account of the burthensome expence (large as they have found it) that these Prisoners are to the District but to prevent any attempt they might make to break Gaol that (in their desperate case) the natural love of Liberty might incite them to. Especially since the Commandant at Fort George has found it necessary to request that the Guard might be withdrawn, and which has taken place.'

The method of accomplishing this remission of the sentence was referred to Justice Powell for his advice, which he gave in a letter to Mr Halton on May 1.

'When I did myself the Honor to submit to His Excellency's Consideration the Case of the Convicts at Niagara sentenced for a Conspiracy to defraud by forged foreign bank notes, it was to obviate the possibility of their sentence operating a perpetual Imprisonment in case of Inability to pay the fine imposed upon them.

The mode of Relief which I took the liberty to suggest was to remit so much of the Sentence as directed Imprisonment untill the fine should be paid, and security given for their good behaviour — This may be done by a Charter of pardon, not remitting the fine, but all Imprisonment after the Six months of Punishment, which will merely discharge them from Prison without releasing the fine —

FROM JOSEPH EDWARDS TO WILLIAM HALTON

Niagara 17 April 1810

Sir

I am also requested to represent to His Excellency what

the Magistrates conceive an improper application of the Military reserve in front of the Town in the permission recently given of a Mr Staats presented (among others) by a Mr Spilman of his house thereby not only spoiling the view but by encouraging similar applications have the effect of shutting up the Town by a Range of Pickets They therefore humbly request His Excellency's interference in preventing the enclosure taking place

At this Session the Magistrates have approved of a plan of a Bridge of one Arch across the Grand River nigh the house of a Mr Staats presented (among others) by a Mr Spilman the Estimate seven hundred and fifty pounds Messrs Hatts T Clarke Addison and others have come forward as his Securities and so Soon as the bonds are compleated I presume an application will be made to his Excellency for the money voted by Parliament the remaining sum being made up by private Subscriptions

I have the honor to be &c

JOS EDWARDS
Chairman
Genl Qr Sessions
Niagara District

Major William Halton
&c &c &c

(Sundries Upper Canada 1810)

The recommendation of the magistrates for a remission of the remainder of the sentence passed upon the counterfeiters is shown to have been successful by the following order

Lieutenant Governor's Office
2nd May 1810

Sir

The Lieutenant Governor directs that you prepare a pardon to pass the Great Seal remitting the Imprisonment of Charles Norton alias Philander Noble William Smith Crane Levi Kemble Roberts Samuel Spring and Joseph Harris convicted at the last Niagara Assizes of a Conspiracy

I have the honor to be &c

WM HALTON Sy

The Attorney General

On the 26th of February 1811 Isaac Swayze no longer a member of the Legislative Assembly having been defeated at the previous election by Samuel Street again presented a petition asking reimbursement for his loss by robbery

To the Honorable the Commons House of Assembly of the Province of Upper Canada

The Petition of Isaac Swayze of Niagara most humbly sheweth

That Your Petitioner did heretofore humbly shew to Your Honorable House that a burglary had been committed upon his house on the night of the 28th of January 1806 at which time he was robbed of the sum of One Hundred and Seventy eight Pounds Provincial currency then in his possession and received by him as Inspector of Licenses for the District of Niagara for duties on Shop Tavern and Still Licenses issued 5th January 1806 exclusive of private property and money received on account of the District of Niagara and that Your Petitioner was at the same time very dangerously wounded

Your Petitioner now begs leave to press upon your consideration the honorable testimony of such facts as were then adduced by him on which your resolution of the fifth day of March 1807 was founded and humbly prays that Your Honorable House would be pleased to afford him that relief which in your wisdom you shall think the circumstances of his unfortunate case may require

And Your Petitioner as in duty bound will ever pray

Isaac Swayze

Crowell Willson of Crowland then moved seconded by Allan McLean of Kingston for leave to introduce a bill for the relief of Isaac Ewayze but the motion was lost

The royal instructions to Lord Dorchester in 1791 had commanded him to direct the Surveyor General to report in all surveys made for settlement whether there were within such survey any lands fit for the production of hemp or flax Ten years later in compliance with a circular letter from the Colonial Secretary General Hunter had requested the provincial parliament to give such encouragement as seemed necessary to stimulate the cultivation of an object of the highest importance in Europe at that time An act was accordingly passed appropriating £250 for the purpose of purchasing and distributing hemp seed gratis among the farmers and £500 to be expended in premiums and bounties for the cultivation of hemp The Lieutenant Governor was asked to appoint a Board to encourage the culture dressing and exportation of hemp Hon John McGill and Hon D W Smith were the first commissioners appointed and in 1803 Hon Thomas Scott the Attorney General was added to the number In 1804 one thousand pounds were voted for the same purpose and James Baby, Richard Cartwright, Robert Hamilton and William Allan were appointed commissioners for the purchase of merchantable hemp at the rate of £40 Halifax currency per ton. Thomas Talbot was added in 1809 and on the death of Robert Hamilton, Joseph Edwards was appointed his successor. Premiums were awarded by the London Society for the encouragement of Arts, Manufactures, and Commerce, and a further grant was made by the provincial parliament in 1808.

From Joseph Edwards to William Halton

Niagara 9 August 1810

Sir,

As Commissioner for the purchase of Hemp I have lately been applied to by a Mr. Staats of the Grand River to take from him a Ton. Mr. Richard Hatt having also informed me that he will shortly have some to deliver for Sale, and having no public money for that purpose I am induced to apply through you to His Excellency the Lieutenant Governor for the price of two or three Tons, and to request that the Warrant may be made to William Dickson Esquire who I have duly appointed as my Agent for that purpose.

I have the honor to be &c

Joseph Edwards
Commissioner for the
purchasing of Hemp

William Halton Esq
York

(Sundries, Upper Canada, 1810.)

William Claus's eldest son had obtained a commission in the regular army and had been ordered to join his regiment then stationed in Jamaica. This led to some interesting correspondence with Lieut. Colonel William Samuel Currey, who had been military secretary to General Hunter and had been granted the maximum allowance of twelve hundred acres of land as a reward for his services, which he wished to sell.

From James Green to William Claus

Quebec 5 July 1810

My Dear Claus —

In consequence of your letter of the 11th June delivered by Mr. Crooks I immediately conveyed the 400 Acres in

Grimsby belonging to Lt Colo Curry for which Mr Crooks paid me £150 — which Sum I remit by the Owen Glendower the 10th Instant to Doctor Curry agreeably to Lt Colo Curry's Instructions — the Conveyance could not be perfected when Mr Crooks was obliged to take his departure by the Steam boat but I afterwards delivered it to Capt Evans conformably to Mr Crooks's Instructions —

Lieut Governor & Mrs Gore have received every possible attention from Sir James Craig Since their arrival we have had nothing but feasting — dancing and the like — they came very opportunely to attend the Races to day — General Brock gave a dinner to the two Governors to day and a Ball to as many Ladies as his room could conveniently contain — they danced in two rooms to the Band of the 8th Regt — which unquestionably is the best Military Band I ever saw both in point of Numbers & fine execution on their Instruments —

Capt Selby of the Owen Glendower gave a Superb dejeunet on board his Ship the day before which was conducted in a Superior Stile — Lt Govr & Mrs Gore were received with 13 Guns — Capt Selby is a most excellent Character — devoid of that Pomp you often meet with in Naval Characters—

To day the races begin — dinner at the Bishops — Play in the Evening — To morrow races — dinner at the Chateau to a Number of Ladies and Gentlemen — and Race Ball at the Hotel in the Evening — Races again on Fryday and Saturday — on Sunday I presume the Governor will return in order to transact some indispensable business in his Province

Governor Gore has been very attentive to me he favors me with a long visit every morning at the Office — he called on us an hour after his arrival with Colo Kempt

Adieu my dear Sir Accept best wishes for yourself Mrs Claus & your family from me and mine & believe me to be
Ever yours

JAMES GREEN

(Claus Papers Vol 10 pp 9-10)

FROM WILLIAM CLAUS TO LIEUT COLONEL W S CURRY

Niagara 16th Sept 1810

My Dr Curry

Your letter of the 26 Octr 1809 I had the pleasure to receive telling me of the safe arrival of my son William at

Jamaica I have seen by the *Gazette* of the 18th Novr 1809 that there was a mistake in Wm's appointment to the 54th Regt which I assure you Mrs Claus & myself most sincerely regret yet I flatter myself with the hope that your friendship will be the means of bringing the business to a happy end Should he be removed from under your friendly care that ease of mind which has prevailed in both Mrs Claus & myself since with you will vanish & be left in a constant state of anxiety Our only consolation if he is to be secured to an Ensigncy you will have it done

The French influence has reached the Lower Province Sir James Craig has five or six Canadian Lawyers Notaries & Members of The Assembly in Gaol (Bedard Blanchett & Tachereau of Quebec) being detected in a Treasonable correspondence with the French Embassador at Washington — he dissolved the House again last Winter he acts with decision & does not triffle with them as did Lord D & Sir R Milnes

Your lands I have left nothing untried to dispose of — only 300 Acres I have got off & to receive 7/6 pr Acre in Cash on giving the deed but it will be some time before that can be done as Green will have to execute the Deed & to him I shall remitt the Money as soon as pd

Since your favor of the 26th Octr we have not heard from Jamaica We are at a loss for Wm's silence I should have been glad to have heard from him any particulars of his Voyage &c you will readily conceive untill we can hear from you better than I can describe — my boy Dan has been appointed to the 49th Regt now in this Country & still under the Command of our friend Genl Brock his Lt Col (Sheaffe) is at last married to Miss Coffin by next thursdays post Mrs. Claus I believe intends writing to Wm —

God Bless you joined by Mrs Claus & all the family in wishes for your health & happiness — I remain your most faithfully

All hands send their Love to Wm

(Unsigned draft)

(Claus Papers Vol 10, pp 1 3)

From William Claus to Lieut Colonel Curry

Niagara 17th Novr 1810

My Dr Curry

Just as I was stepping into my boat with three Characters well known to you Genl Brock Col Vincent and Capt Glegg of the 49th Regt on my way to York by the Head of the Lake I had the pleasure to receive yours of the 13 June With 3 such men I think I hear you say he must have had a pleasant time Genl Brock remains with us in the Command of the Upper Province the other Gentlemen returned about 3 Weeks ago to the Lower Province — they came up with a number of other officers to sit a Genl Court Martial upon some men of the 100th Regt for desertion & Mutiny Very little was done after all their Troubles — one man flogged & one transported to Botany Bay

Green will have told you that he has received one Dollar & a half pr Acre for 400 of your Acres I assure you I sold them with reluctance, but it is your desire that they are sold

We are going on neatly as usual Genl Brock being with us makes some difference he lives in the Govt House and often sees 10 or a dozen friends but unfortunately he is quite alone not an officer with him Harriot[1] who was his Major of Brigade is at Quebec with Genl De Rottenburg he ought to have kept Col Vincent or Glegg it would have been a happy thing for the latter as on his way down near Kingston in shooting a deer in the Water he unfortunately shot a man in the Bow of the boat a soldier of the Veterans

(Unsigned draft)

(Claus Papers Vol 10 pp 11-13)

Samuel Street and Thomas Clark who had obtained control of the Bridgewater Mills and desiring to extend their business published a printed notice in the form of a handbill a copy of which has been preserved among the Askin Papers in the Dominion Archives

CLARK & STREET's terms for exchanging Wheat stored at the Bridgewater and Falls Mills are

For three Bushels merchantable Wheat of 60 lbs. each
112 lb fine Flour
49 lb Bran
4 lb ship stuff
For 5 and a half Bushels ditto
196 lb Superfine
70 lb Bran
8 lb Ship Stuff

3 shillings and 6d York for each Barrel furnished 6d per Barrell for packing and 6d more if nail d and lined — Quality

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[1] Heriot

of Flour (if doubted) to be ascertained before taken away from the Mills

Should the Mills or Wheat Stores be destroyed by fire the subscribers are not to be accountable for any loss occasioned thereby

Clark & Street

Bridgewater November 7th 1810

Hugh Alexander who had come to Upper Canada as a Loyalist in 1782 after employment of many years as a clerk had commenced business as a merchant at Fort Erie Copies of many of his letters have been preserved and throw considerable on local commerce of the time

From Hugh Alexander to Thomas McCormick

Dear Sir

Agreeable to promise I have herewith given you a statement for which I will forward your goods at from Chip next season to this place and from this to Chip which I trust will meet your Approbation viz Salt 2/4 per bbl payable in salt at 30/ at Queenston free of duty or 2/ cash — the salt to be shipped as advised

Goods 1/3 per cwt to receive here and ship as above
Pork to receive here and forward to Chipewa 1/3
Flour to ditto and forward to Chip 1/
Pork & Whisky to receive here and forward to Chip 1/4
Potash do do do do 3/
or 2/6 if not Hard

The cash accounts payable at the close of the season — and the salt monthly if required

Fort Erie
Nov 6 1810

N.B You will please observe the above prices are New York currency

From Hugh Alexander to Thomas Dickson

Dear Sir

Your kind favor of the 1st ult came to hand the 10th I should have answered your letter immediately but could not say to a certainty how many barrels I should have and also expected to be down before this time but the roads is at present very disagreeable you can depend on twenty barrels of pork which can be delivered in a very short time — I merely say this as you may wish to know the quantity on acct of your own contract I intend being down either the last of this week or the first of next as Mr Bilder is waiting for this

Fort Erie
Jan 7/11

FROM HUGH ALEXANDER TO CAPT B MARTIN

Fort Erie Feb 14th/11

Dear Sir

Yours of 21st ult came duly to hand on the 7th inst and hasten to inform you that in my opinion by all means start out for Buffalo as what property may be on board for this place can be brought from that without any interruption and should there be any probability? of making one or two trips from Black Rock to either Cayahoga or Erie the vessel will have it then in her power to perform the same — if not it is very easy to run over from Buffalo to this place I have not seen your father as yet however I dont hesitate in giving my opinion as above as it will undoubtedly be best for both shipping and owner because should she clear for this port and part of the property be for Buffalo the owner would then be deprived of getting it over The season as yet has not been very severe I am therefore inclined to hope that the ice will be out very early in the spring and I think there will be no time lost in coming down as soon as the lake weather &c will permit and unless you can get some rigging and repair done in trade — the vessel I think had better be brot down to repair either here or at Black Rock where the material can be got without paying cash immediately Dont by any means pay Cook any of his wages if there is any due him as he was in arrers with me when he went away I shall see your Father in a few days and will then inform him of what I have said to you and should we jointly agree to make any different arrangements I will then notify you accordingly

Capt B Martin

Detroit

Should you have an opportunity of getting some old rope or junk get it to make oakum as I should want some for my own and another vessel will also want some You will likely get the above for trade and cheap Also get a small radge and compass cheap and have the means to make payment without paying money

From Hugh Alexander to Capt Bud Martin

F Erie Mar 12/11

D S

I wrote you the 14th in ans to yours of 21st Jany but fearful that it may be miscarried I shall now write you per Capt Rough to say that I wish you by all means to clear out for Buff as part of the property you have on board is I presume for that place which if you come to this side will not be allowed to be taken over but whatever may be on board for this place can be bro t over from there here without difficulty The weather at present is very fine and should it continue much longer I think the ice will be out by the 1 of April perhaps sooner In my last I mentioned that you had better gett a compass & small anchor perhaps 1 cwt and as there is several old vessels in that quarter perhaps you can get in trade or payable in salt next fall sails that would answer for a square sail and topsail and also get what old rope you can conveniently to make oakum as I shall want considerable this spring As your brother Anderson I presume will be with you if you and him can see a bargain in any of the above mentioned articles you had better take them and also should you see such spars as the Chip may want you may as well get them Should whisky be cheap in Detroit say 4/ 4/6 or even 5/ a gall if you have the means bring what you can with you In hopes that every caution will be used in getting down safe as soon as the Lake and weather will permit

Capt Bud Martin
Detroit

From Hugh Alexander to Thomas Dickson

Fort E Mar 16/11

D Sr

Your very kind favor of 21st ult I received the same day on my way to Long Point and am very sorry to find that Mr McGill did not accept your offer However should you have an opportunity before I see you of selling 20 or 22 bbls pork provided you can get a fair price you are at liberty to draw on me for that quantity and pass the same to my credit If you can conveniently spare a barrel of spirit please let the bearer Mr Smith have it who will have an opportunity of sending it up immediately

Thos Dickson
Queenston

From Hugh Alexander to Capt. Bud Martin

Fort Erie Ap. 9/1811

D S

I am most disappointed on acct your not having yet arrived as I have expected you here some time past as the weather is extremely fine However I have heard verbally that the Chip is detained on acct of the non-importation act In that case Major Fowell will do everything that can be done in behalf of the vessel and you will in that case be directed by him what measures to take and should you come under ballast from that port to this call at Long Point on Dr Crosby[1] for 1 corn on your way down and be as expeditious as possible as I have made contracts in this quarter which must be fulfilled

From Hugh Alexander to Elijah Phelps

Fort Erie Ap 15/1811

D S

I understand there is a quantity of salt laying at Chippewa marked T Bros & Co which is under your direction As I shall have boats taking down flour should you want to send it to this place and not under any engagements I should be happy to have the boating of it and would attend to whatever directions you should give respecting the shipping of the same at this place

From Hugh Alexander to Judge Porter

Fort Erie Ap 24/1811

D S

I called at Manchester last evening to see you respecting the cordage yet wanted for the Chippewa but you was from home neither could I find Mr Coffin However I sent a memorandum for Mr Ben Hopkins which if you would have the goodness to furnish and leave to Black Rock to Mr Sell[2] with the amt which if you could conveniently make payable the 1st Oct would suit me much better than the time mentioned in your letter but should that be longer than you can wait you will make the time as favorable as possible you will then send cordage by first boat

Judge Porter
Manchester

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[1] Probably Dr Elakim Crosby who joined the enemy in 1813 see Papers and Records of the Ontario Historical Society XXVI p 494

Pay no attention to the former memoranda to Mr Smith as my information respecting that was incorrect

From Hugh Alexander to Thomas Clark & Co

Fort Erie Ap 29/1811
Messrs Thos Clark & Co

Gentlemen

Yours of 19th I rec d 23 The Clip is just discharged of 319 barrels marked P Ct O from Mr Nichol which will be forwarded to Chippewa as soon as possible I shall send the vessel once more to Long Point and the next trip to the Grand River for Mr Hatt s flour which I presume from your letter is ready If wind and weather will permit you may expect Mr Hatt s flour the last of next week or the first of the week after The Salina has also a load of flour from Long Point which will also be forwarded soon I have sent from this place 104 bbls flour marked H A for myself which you will have the goodness to forward to Messrs Parker Gerrard Ogilvie & Co Montreal the first opportunity

From Hugh Alexander to Judge Porter

Fort Erie Ap 30/1811

Sir

Yours of 25th received 28th enclosing the bill of rigging which came to hand in good order I am extremely sorry that you was put to the trouble of making that part of the rigging that is not at present wanted if I recollect right I mentioned to your man that the memorandum left with Mr Coffin by Mr Smith was incorrect but that I should leave one with him that evening

However I find I am still deficient much which I shall trouble you again to furnish & forward to Black Rock as formerly

Say 1 cwt spun yarn
2 bunches of marlin
30 fathoms 3 rope
2 lbs serving twine

To Judge Porter
Manchester

From Hugh Alexander to William Southerland

Fort Erie May 11/1811

Sir

Messrs Thomas Clark & Co has wrote to me to say that

Saml Hatt Esqr has a quantity of flour at your place which he wants forwarded to Queenston, I have therefore agreed with Mr Thomas Hickok[2] the bearer of this to bring the team to this place you will therefore deliver to him as much as he can conveniently take and Oblige

FROM HUGH ALEXANDER *(Unaddressed)*

Fort Erie May 13/1811

Sir

I am concerned in a small vessel (the Chippewa thirty six tons burthen British Bottom) which I would wish to engage in the salt business from this to your port if the laws now in force will allow the same May I therefore beg the favor of you to state to me as soon as convenient your opinion on that subject whether you think it advisable to send him to your port or not and you will very much oblige

FROM JONATHAN WALTON TO FRANCIS GORE

Schenectady 15 May 1811

Sir

As it may be agreeable for your Excellency to know that agents for many Respectfull families have called on me lately for the purpose of making arrangements to Remove into your province the ensuing Summer I think it my duty to give the information I shall continue my endeavours to facilitate as many good people into the province as I possibly can — having the wellfare of your Excellency s govermt at heart

I most sincerely congratulate your Excellency on the Glorious news of the success of the British arms in Portugal in driving the hauty foe out of that kingdom — with my sincere prayers that England may finally Tryumph over the Tyrant of Europe

I am &c

J Walton

His Excellency Gov Gore

(Sundries Upper Canada 1811)

The writer of the foregoing letter was an officer in a loyalist regiment who had been retired upon half pay and had settled in Nova Scotia and afterwards undertook the settlement of the township of Hope in Upper Canada Eventually, as he stated with General Simcoe s approval he established himself as a merchant in Schenectady and seems to have exerted himself zealously in promoting immigration to Upper Canada asserting that his situation there enabled him to promote the Settlement of that Country more than he could possibly do by *residing in Canada* [1]

Richard Hatt of Ancaster Samuel Street of Stamford and Josseph Edwards of Niagara had been appointed commissioners to supervise the expenditure of money granted by the provincial parliament for the improvement of the main roads in the Niagara District

FROM RICHARD HATT TO WILLIAM HALTON

Ancaster 21 May 1811

Sir

I received your Letter of the 17th Ulto acquainting me of the appointment which it has pleased His Excellency to honor me with and in order to carry the same into effect as soon as possible (being unable at this time to leave my family) I have taken the liberty to empower my Brother to receive such part of the money appropriated by the said Act as may more particularly fall under my immediate inspection to lay out that is from Vanderlip to A Westbrook s from Brady s Tavern thro Saltfleet to the Forty Mile Creek on the New Lake road and building a Bridge over the Outlet at Burlington Bay which is the arrangement lately made with the other Commissioners

I have the honor to be &c

Major W Halton RICHARD HATT

(Sundries Upper Canada 1811)

FROM HUGH ALEXANDER TO PARKER GERRARD OGILVIE & CO

Fort Erie May 23/1811

Gentlemen

Having some flour to send to Montreal this season and from an acquaintance I have had of you through Mr Nichol & others in this quarter I have taken the liberty of addressing it to you which if you will have the goodness to take charge of and if you have an opportunity of selling any part of it for nine dollars or upward please to sell it — if less I should rather have it housed till I go to Montreal myself which will be in July or first of August I shall also request the favor of you to write to me the correct prices of flour pork & potash as often as convenient ad oblige

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[1] Papers and Records of Ontario Historical Society XXVI p 361

FROM HUGH ALEXANDER TO THOMAS CLARK & CO

Fort Erie May 30 1811

Messrs Thos Clark & Co

Sirs,

Yours of 16 instant received on the 22nd and have now the Biscuit ready say 3200 lbs the quantity of flour taken for the season is 18 barrels which you mentioned soon to be replaced at Queenston You will also pass £19.6.0 N Y Cur- to my credit

The price for baking say 12/ per cwt you can either make the flour and forward it to Montreal with the rest or pass it to my credit as may be most convenient

FROM HUGH ALEXANDER TO CLARK AND STREET

Fort Erie June 4 1811

Messrs Clark and Street[2]

Dear Sir

Yours of 28th received the 3rd inst and will cheerfully account to you for the neat balance that may be due Robt & Sent Martin for their respective shares in the Chippewa when and in such articles as may be collected for freight in said vessel at present I have nothing in my hands

FROM HUGH ALEXANDER TO PARKER GERRARD OGILVIE & CO

Fort Erie June 10 1811

Messrs Parker Gerrard Ogilvie & Co

Gentlemen

I wrote you on the 23rd respecting some flour forwarded to your care which I requested not to be sold under nine dollars However Mr Storrs[2] is going sooner to Montreal than I expected I have taken the liberty of drawing on you in favor of Messrs Jabez Storr & Co for twenty five pounds currency which you will please to honour

If you have not sold sufficient of the flour at the above rate you can sell to the best advantage enough to discharge the above draft and the remainder if you think there is any possibility of its rising dont sell till you have further advice Please write me the quantity received in good order and what prospects are respecting the price and you will very much oblige

The annual return of the militia of the county of Lincoln dated 4th June 1811 showed that the 1st Lincoln commanded by Colonel Ralfe Clench consisted of one Colonel one Lieutenant Colonel one Major ten Captains ten Lieutenants ten Ensigns one Adjutant one Quartermaster thirty two Sergeants and 513 rank and file being a decrease of sixty rank and file since the last return The 2nd Lincoln commanded by Lieutenant Colonel Thomas Clark was composed of one Lieutenant Colonel one Major nine Captains, Ten Lieutenants ten Ensigns one Adjutant one Quartermaster twenty three Sergeants and 572 rank and file showing an increase of eighty-six in the last description The return for the 3rd Lincoln commanded by Lieutenant Colonel John Warren was dated 1810, and showed a total strength of one Lieutenant Colonel one Major eight Captains, six Lieutenants seven Ensigns one Adjutant one Quartermaster sixteen Sergeants and 350 rank and file The 4th Lincoln commanded by Lieutenant Colonel Johnson Butler numbered one Lieutenant Colonel one Major ten Captains eight Lieutenants nine Ensigns one Adjutant one Quartermaster twenty seven Sergeants and 459 rank and file being an increase of fifty-two The 5th Lincoln commanded by Lieutenant Colonel Andrew Bradt reported a strength of one Lieutenant Colonel one Major seven Captains ten Lieutenants eight Ensigns one Adjutant nineteen Sergeants and 404 rank and file being an increase of fifty seven

Three official letters from commanding officers have been preserved

FROM RALFE CLENCH TO THE HONORABLE AENEAS SHAW

Niagara June 8th 1811

Honble Sir

I enclose two Returns of the First Regiment of the County of Lincoln Militia No 1 Contains those from Sixteen to Sixty years of Age and No 2 those from Sixteen to Fifty only from this you ll see the small Number we have above Fifty

You ll also perceive by my Remarks the very few Absentees with the Character of most of them in Captain Crook s Company we have some respectable Americans a Mr Beldon a Worthy Man who has always declined bearing Arms but upon all regular occasions transmits the Amount of his Fine as by Law imposed but of this description there are but few We have some others in the Regiment who are inclined and would if in their Power not only stop the Militia law being carried into effect but the Wheels of Government also of this Democratic Class fortunately we have not many

A Lieutenant Robert Runchey a worthless troublesome Malcontent it is rumord that he intends Personally to wait on his Excellency the Lieutenant Governor and to request his acceptance of his resignation This I sincerely hope he may do and that his Excellency may be pleased to accept of the same as he is almost the only one I can term a Black Sheep in our Regiment and with whom the Officers I believe would gladly part

The Number of Private Men at present exceeds what by Law is allowed to each Company and yet we have not a sufficient Number to form another Regiment I would therefore beg leave to suggest the propriety of Forming Three or Four Independant Companies in the Township of Louth in which there are I dare say Men Sufficient This Township is now within the limit of the First Regiment which would still be sufficiently numerous I am induced to make this suggestion from a difficulty that has occurred with some of our Justices where Companies have exceeded Fifty Private Men I could not obtain Judgment upon Summons for no other reason as was stated than that the Company in Number exceeds what the Law directed by which Defaulters have gone unpunished From the Strength of our Regiment you will see that there is no other remedy unless dividing the Regiment from the situation and Settlement of the Townships of Niagara and Grantham this would not be in my opinion so eligible as to Form Independant Companies in the Township of Louth

Should this suggestion meet his Excellency's approbation permit me to request your earliest intimation I shall then transmit a list of Persons proper to be Appointed officers

I have the Honor to be &c

RALFE CLENCH
Colonel 1st Regt Lincoln
Militia

Honorable Aeneas Shaw
Adjt General Militia
York

(Sundries Upper Canada 1811)

FROM ANDREW BRADT TO THE ADJUTANT GENERAL OF MILITIA

Barton 8 June 1811

Sir

I now enclose the General return of the 5th Regiment of Lincoln Militia at the same time I have to transmit you the

resignation of several of the Officers of my Regiment & shall submit to you to lay before His Excellency the Lieutenant Governor the frivolous excuses made in order to get rid of the Service thinking by resigning they get clear'd from all future Service —

CAPTAIN AUGUSTUS JONES resigns without any other excuse than that he does not like to get the illwill of his Neighbours by making them do their duties in the Militia

CAPTN JOHN LOTTRIDGE (the Son of Captn Robert Lottridge of the Indian department during the late war) resigns because he says he is so dull he cannot learn the Manual Exercise therefore cannot teach his Men

CAPTN JOHN CHAMBERS resigns because hes a very large family is rather a sickly man & is in very poor circumstances

LIEUT JOHN JONES is removed from the neighbourhood of my Regiment & is promoted to a Captn's Commission in another

ISRAEL DAWDY refuses to serve as an Ensign as he had originally a Lieutenant's Commission & had for a considerable time the charge of a Company & discharged the duty with great Credit to himself in that situation

ENSIGN A B BRADT has removed from the neighbourhood of my Regiment too far to attend his duty in it

If therefore His Excellency should approve the resignations & if so many persons should be exempt from Militia duty from it I shall beg leave to recommend that Lieut John Aikman — Lieut Israel Dawdy & Lieut Lewis Horning may succeed to the Companies vacated by the resignations & that Abel Land Senr William Weir & John Bradt be promoted to Lieuts also that Jacob Riemill Joseph House Joseph Burney George Rousseaux Samuel Green and Jacob Killman be recommended as Ensigns in my Regiment

I cannot conclude without observing that those whose friends & themselves have received the greatest encouragement & inducement to persevere in the good cause do not hold out the longest vide Augt Jones — & J Lottridge & at the same time I cannot but remark to you that Mr Abraham Markle & William Biggar both of Ancaster utterly refuse to train in the Militia & declare never will do more than pay their fines — that should we be called on actual Service we might not find support in many who have had great advantages from professions of Loyalty & suffering

I have the honor to be &c

ANDW BRADT
Lieut Col

To the Adjutant General of
the Militia of Upper Canada

(Sundries Upper Canada 1811)

FROM THOMAS CLARK TO AENEAS SHAW

Queenston June 10th 1811

Sir

Herein I have the honor to inclose you a return of the 2nd Regiment of Lincoln Militia for the 4th inst which be pleased to transmit to his Excellency the Lieutenant Governor as the Law directs —

By this return you will perceive that there is a Captain wanting to one of the Companies — owing to Captain Warner having some time ago resigned from Old age — To fill up this vacancy I should recommend John Decow the oldest Lieutenant in the Regt and well adapted to supply the place of Capt Warner — Ensign Jacob J Ball to supply John Decow's place and Mr James Lyons to supply the place of Ensign Jacob J Ball —

I have the Honor to be &c

THOMAS CLARK Lieut Coll
2d Regt Lincoln Militia

Aeneas Shaw Esqr
Adjt Genl of the
Militia of Upper Canada

(Sundries Upper Canada 1811)

Considerable grants of land had been made by the first land board to officers of Butler's Rangers and the Indian Department three of whom had died on service and the other two had left the province Action was accordingly taken to cancel these allotments

EXECUTIVE COUNCIL OFFICE

York 14th June 1811

Public Notice is hereby given that the Locations designated by the Land Board of Nassau for the following Persons in the Township of Binbrook District of Niagara will be declared open for Grant to other Persons unless within Six Months from this date they severally appear by themselves or Agent, to establish their Claims and sue out their Patents

LIEUTENANT GEORGE HARKIMER
LIEUTENANT HENRY HARE
SURGEON'S MATE PATRICK BURK
LIEUTENANT FREDERICK DOCHSTEDER
CAPT JOHN MCKINNON

By Command of His Excellency
the Lieutenant Governor in Council

JOHN SMALL
Clk of the Executive Council

(Sundries Upper Canada, 1811)

The author of the next letter was deported as an alien enemy in 1812 and his book was published in the United States in the following year and rapidly ran through six editions

FROM MICHAEL SMITH TO WILLIAM HALTON

Niagara June 22d 1811

Worthy sir I hope you will not be offended at the liberty I have taken of writing to you — nothing but the information I have had of your disposition could have encouraged me thus — Worthy Sir it is through your means that I humbly wish to communicate to his Excellency our Governor my design of publishing a Geographical and Political view of the province of Upper Canada

My design in publishing this work is to give a general information of the goodness of this land and (sic) 'Laws.' I would not wish to do anything that might be contrary to my Governor's wish I therefore would be very thankful if you would communicate the same to me through the hands of Mr Cameron Printer[1] — If his Excellency should wish to see the manuscript before the signification of his mind it shall be sent I do not count my self the Author tho I have assisted in the work and have copied the whole I am a native of the state of Pensyvania (sic) and came to Canada 18 months ago have taken the oath of Eligence percured a reserve lot of land have a small family and am a poor man I am Sir with humility your unworthy servant

MICHAEL SMITH

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[1] John Cameron then publisher of the York Gazette and Upper Canada Almanac see Scadding Toronto of Old pp 268 9, 533

N B I now teach School 3 miles from Niagara

William Halton Esq
York

(Sundries Upper Canada 1811)

From Hugh Alexander to Judge Porter

Fort Erie June 17, 1811

Dear Sir

I must once more call on you for a small quantity of cordage yet wanted for the Chippewa viz
60 fathoms of six thread ratlin
120 do of 15 thread do or perhaps 12 may answer
20 do 2½ inch rope
14 lbs spun yarn
which you will please send up to Black Rock by the first boat and oblige

From Hugh Alexander to John Muirhead[1]

Fort Erie June 19 1811

Dear Sir

Yours of the 15th inst enclosing your J W Miller rec'd yesterday I now send by the boat ninety five barrels of flour belonging to Mr Nichol for government which agreeable to Mr Coffin's direction to Mr Warner? he is to deliver six hundred bound for at Queenston and four hundred at this place the latter which is already delivered there for agreeable to that direction you as his agent at Chippewa will please for'd to Queenston ninety five barrels flour together with our 150 barrels already at Chippewa which was forwarded to Mr James Cummings not knowing at that time what were to be delivered at that port Should Mr Nichol have given you any directions respecting the above flour himself you will of course be guided by the same or should you have any convenience of keeping the flour safe at Chippewa till we can have advice from Mr Nichol with respect to the forwarding of it to Queenston you can do as you think most advisable for Mr Nichol's interest I have also given directions for the boat to call for Messrs Clark & Street's flour at Mr Miller's

Mr John Muirhead
Chippewa

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[1] A merchant and collector of customs at Chippawa

From Hugh Alexander to Wm H Alexander

Fort Erie June 22 1811

Dear Uncle

Yours announcing the death of my brother David came duly to hand and I am very sorry to hear the news but we are all mortal and may be called upon when not as well prepared as I hope he was He has now paid the debt which we all owe and is far from all the cares troubles and anxieties of this life

I have the pleasure to state that we all enjoy good health hoping that inestimable blessing attends you and family Ephraim is at present at Ancaster at the head of Lake Ontario but intends going to Long Point this summer to commence business with E Crosby Esqr of that place and I hope will do well I should have wrote you immediately on the receipt of yours but have been anxiously both to hear from and see Mr McDougall respecting your business as I employed Ephraim who was down at the time I received your letter to call on him (he McDougall) he at last has come down and paid me 1150 pounds in cash and a note of hand for one hundred pounds N Y C payable Jan 1812 with interest from 14th inst against as good a man as we have in this country part of which I may perhaps get before I go to Montreal which I intend next month if weather permits perhaps about the 18th or 20th and will come home by your place at which time (should I get no safe opportunity to remit the money sooner) I shall give you whatever money I may have received from Mr McDougall's amount and as much of my own as I possibly can

Susan and William Dixon to be kindly remembered to you and Aunt Mary and all enquiring friends

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From Hugh Alexander to Samuel Street

Fort Erie July 19 1811

Mr Samuel Street

Dear Sir

Mr Sent Martin[1] has this morning mentioned to me that fifty dollars was promised by him and his father to be paid in cash to you for money advanced by you to Judge Porter previous to their giving you their draft on me for the note due them They therefore to make their promise good to accomo date you as far as lay in my power I have sent by Mr Sent Martin the above sum say fifty dollars which I hope will arrive safe I shall also inform you as soon as possible balance due them and when payable

---

[1] Should probably be Saint Martin

FROM HUGH ALEXANDER (*Unaddressed*)

Fort Erie Aug 2 1811

Dear Sir

Yours of the 30th I received yesterday Capt Dobbin has this morning come over and informs me that he has on board the Salina betwixt them and you Hundred Packs and a few barrels potash and as he has some property aboard for Presquile it will be out of his power to come over therefore requested to have them taken from the pier As the packs is all for this place they will be forwarded as soon as possible part will go to morrow With respect to the bales none of them got injured as it was only the ends of a few that got wet which soon dried by exposing them to the air in the store The boat is well man'd and has now six good oil cloths However every possible care will be taken both with the goods and packs

The following letter from the Deputy Superintendent of Indian affairs shows the extreme tension caused by the menace of hostilities by the United States nearly a year before they began

FROM WILLIAM CLAUS TO LIEUT COLONEL CURREY

Niagara 17th Augt 1811

My Dr Curry

I am sorry that I cannot tell you that I had disposed of a few more of your Acres Sales are at a stand just now but I will not lose sight of them they ought to sell & well from the situation it is becoming a thick settlement

Your friends in this part of the world are all well & joging on how long we will be allowed to remain in Peace & quietness God knows our neighbours appear much inclined to quarrel with us at least their Govt but they do not know what to do the Eastern States seem as much averse to the French as the Southern are in favour of them & I believe very powerful Tribes of Indians on the Waters of the Mississippi are by no means pleased with the treatment they receive from the Americans & their encroachments Another cause of dissatisfaction is their Trade being in great measure stop'd by the Non inter

course I understand a deputation is gone to Washington from the Missouri on the Subject

The Death of Mr. Hamilton has long been known to you, his Second son George was lately married to Jarvis's Eldest daughter & the Second (Augusta) is shortly to follow her example & marry McCormick of Queenstown

Lt. Col. Curry Comdg
54th Regt. Jamaica

(Unsigned draft.)

(Claus Papers Vol. 10, pp. 19-21.)

James Durand, who had previously been major of the first regiment of Lincoln militia having removed to the township of Barton, had been appointed a captain in the 5th Lincoln but soon became discontented with his commanding officer, who had formerly served in Butler's Rangers, and was perhaps not very courteous in his manner.

FROM JAMES DURAND TO WILLIAM HALTON

Barton 5th September 1811.

Sir,

I have to request that you will be pleased to inform His Excellency Lieut. Governor Gore, that in consequence of what I thought was his wish, when I last had the honor of an interview, viz that if any did exist, a direct charge should be brought forward by the Officers of the Fifth Batallion of Lincoln Militia against Lt. Col. A. Bradt, I have taken occasion to make his disposition known to some of the Gentlemen of that Regiment who heretofore had been very desirous of such an Opportunity; they have however now declined coming forward.

That His Excellency may be able to account for such a change of mind in those who so warmly desired the removal of Col. Bradt, I would take the liberty to suggest, that it is extremely probable a general relaxation of Duty would upon inquiry be found to have pervaded the Regiment, having its source perhaps, in the example of the Colonel.

I have the honor to remain &c

JAMES DURAND

To

Major Halton
Secretary to Lt. Gov. Gore

(Sundries Upper Canada, 1811.)

In addition to his offices of post master justice of the peace and commissioner of roads Joseph Edwards had been appointed a commissioner for the purchase of merchantable hemp made vacant by the death of Robert Hamilton The letter which follows shows that a considerable quantity had been produced in the district

FROM JOSEPH EDWARDS TO WILLIAM STAUNTON

Niagara 7th Septr 1811

Sir

As Commissioner for the purchase of hemp I had the honor to address his Excellency the Lieutenant Governor through Major Halton so long since as the Ninth of August 1810 stating that I had been applied to by two persons who had that article for Sale and requested that the warrant for the payment of two or three Tons might be made to William Dickson Esqr whom I had appointed as my agent to receive the same To this Letter however no reply was made and I only learned from Mr Dickson that as his brother had mentioned at York that he would take all the hemp offered in this District it was considered unnecessary to send me any money

Within these few months I have had the same applications to take hemp as a Commissioner and in reply referred them to Mr Dickson declined taking any from them and lately I spoke to him myself who said he had no orders from Captain Mill [1] to purchase

This day 29 cwt 1 qr 17 lbs amounting at the price offered by Government to Ninety One pounds 17/ 7¼ Currency has by Messieurs Belden and Totman been put into my hands after taking the Oath prescribed by Law As I did not wish to refuse it on the principle of having no funds to pay them which they understood the other Commissioners always had I applied to *Major Halton* who directed me to you for his Excellency's information on the subject Have the goodness to inform me what I am to do by the first opportunity

I am Sir &c

JOSEPH EDWARDS
Commissioner &c

William Staunton Esquire
Sec'y &c &c &c

(Sundries Upper Canada 1811)

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[1] Probably Captain William Mills who had established a rope-walk and cordage factory at Amherstburg

An endorsement in pencil on the blank page reads

Major Halton was then at Niagara on his way to Lower Canada & this letter was submitted to the Lt Governor — nothing was done in the business

A report of Mr Justice Powell is evidence of the extreme reluctance of the Bench as well as the public to inflict capital punishment for the crime of theft

From Justice William Dummer Powell
to William Halton

York 26th Septr 1811

Sir

I have the Honor to report for the Information of his Excellency the Lieutenant Governor that on the western Circuit in the District of Niagara George Windeker was capitaly convicted of stealing a Heifer but recommended to Mercy by the Jury which convicted him — As the Man bore a good Character untill charged with this offence and his Connections were respectable I presume his Excellency will think with me that the great object of Example may be attained by commuting his Sentence into perpetual banishment which may be done by a conditional Pardon — I have the Honor to be &c

Wm Halton Esqr Wm Dummet Powell J

(Sundries Upper Canada 1811)

This recommendation was promptly carried into effect by the following order to John Macdonell the actnig Attorney General

Lieut Governor s Office

York U Canada 30th September 1811

Sir

I am commanded by the Lieut Governor to desire that you will take the necessary measures for a Pardon on the condition of perpetual Banishment out of the King s Dominions being prepared for his Signature for George Windeker capitally convicted of stealing an Heifer at the assizes lately held at Niagara

I have the honor to be &c

Wm Halton S y

John MacDonell Esq
&c &c &c

(Sundries Upper Canada 1811)

The change of administration was announced in the following letter wholly in Brock's handwriting.

York, Upper Canada
October 9th 1811

Sir,

I have the honor to inform your Excellency that in consequence of Lieut. Governor Gore's departure for England I have this day assumed the administration of the government of this Province —

I have the honor to be &c.

ISAAC BROCK
M. Gl.

To
His Excellency
Lt. General Sir George Prevost
&c. &c. &c.

(Sundries, Upper Canada, 1811.)

FROM HUGH ALEXANDER TO ALEXANDER REA

Fort Erie, Oct. 3, 1811.

Mr. Alexander Rea,

Dear Sir,

I have the pleasure to announce to you my safe arrival at this place on the 15th ult. and had the satisfaction to find my family enjoying good health. Since my arrival part of the time I have not been as well as I was while travelling but have now quite recovered my former good health. I have not as yet seen your son[1] but from my information he is very well. I should be at his place in a few days when I shall call on him. The articles I bought from you have not yet arrived, but I have heard of their arrival at Queenston. Agreeable to your request I made what enquiry respecting the phials I could when coming home and in Albany found them considerably scarce. I have not as yet sold any positively but from their being scarce in Albany I judge they may sell at this place before this time twelve months — therefore if your Hghd[2] of phials is not yet sold you may have them forwarded to Lachine to Mr. McGevach by the first opportunity for the season is now far advanced and charge me with the same agreeable to what we mentioned when at your place.

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[1] Probably Daniel Ross, a merchant at Dover. [2] Hogshead.

With compliments to Mrs. Rea & Family

FROM HUGH ALEXANDER TO ROBERT NICHOL

Fort Erie Oct. 9. 1811.

Robt Nichol Esqr

Dear Sir

Enclosed you have Michael Hickey's receipt for two barrels marked R. N. to be left at Colonel Ryerson's mill for you which contains 224 lbs Black Pepper agreeable to your order which came after the Chippewa sailed & supposing that you might be in immediate want of it per the first opportunity. One of the barrels not being full and supposing you might be in want of some rope for your own use I put in one coil of White Rope which will answer for traces &c. which you may either credit me with at 2/ York per bill the same as I paid or sell the same at an advance on my account and deduct your commission. the Chippewa has just arrived with 28 barrels of flour which I shall deliver to Mr. Warren as before

FROM HUGH ALEXANDER TO JABEZ D DE WITT

Fort Erie Oct 17/1811

Mr. Jabez D. De Witt

Dear Sir

I have the pleasure to inform you that I arrived at this place on the 18th and found all my connections in good health. Since my arrival I have not enjoyed good health as well as I did when travelling — however I have for a few days past been quite restored and trust that ere this I may congratulate you on your safe return to good health. The case of hats I received on the 25th ulto. And found every article agreeable to the account on the other side I have annexed a memorandum which if you will have the goodness to furnish and forward as soon as you possibly can as the season is far advanced I will make you payment for the same agreeable to your terms for the Hats &c. You will please to put them up safely and send them to Mr. McGevach, Lachine

6 lbs. Verdigrease
1 piece of glazed black hat binding 2nd quality

2 gross black galloon 1 bottle aqua fortis
½ drab do
½ hat buckles 1 superfine white bonnet 23 inches
3 back hat bands inside
1 lb pumice stone
½ doz hat bow strings

From Hugh Alexander to James Sinclair

Fort Erie Oct 23 1811

Mr James Sinclair[3]
Dear Sir

When you was at this place I mentioned to you my expecation of making different arrangements with respect to the Chippewa I have therefore made a purchase of the said vessel and will accordingly make arrangements in season for proper persons to sail her the ensuing season

I have therefore to request of you to let me know whether you are at liberty to engage next spring and if so what your lowest terms will be for the same to sail her as master to commence say the first of April and continue the season — the vessel as you know is a good new one and I hope will be well man d which to you if you take the command will be considerable of an object You will therefore make your terms as reasonable as possible as the vessel will not admit of heavy expense — you need not mention what I have wrote you as it might cause others to think hard my giving you the preference

From Hugh Alexander to Robert Nichol

Fort Erie Oct 24 1811

Dear Sir

Yours of the 21st rec d also one from Mr Kerby to the same effect respecting your goods which came to this place I am extremely sorry it was out of my power to have the Chip go to Long Point as I intended The reason was that she was completely filled with stuff positively engaged before and prior to my purchase excepting a few heavy articles which had to be put in her hold on account of so much deck loadings to make her safe However agreeable to your request I have fitted out an excellent batteau with Archibald Thompson Conductor with those articles which I supposed you were most in need of and also such articles that might be landed should occasion require I have sent very few of Dr Rolph s articles as they were chiefly heavy articles and as I expect the Chip at this place next week

should the wind and weather permit I will then send her immediately with all the remaining articles at this place

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[3] Afterwards a second lieutenant and pilot in the provincial marine on Lake Erie

P.S. I have sent twice over the river in order to get—— to go to your place But could get none However I hope the boat will arrive safe

From Hugh Alexander to Robert Gillespie

Fort Erie Nov 7 1811

Robt Gillespie

Dear Sir

Yours of 20 Sept I received the 4th inclosing invoice of sundry goods say horn glass &c which came to hand the same time I have also received the goods forwarded to Lachine while I was in Montreal and which I find all agreeable to the invoice with the exception of three articles amt £3 17 1 Hfx as you have on the other bill With respect to the butter I am sorry any difference should occur in the weight However when season will permit please send the amount of sales as then I can have recourse on them I purchased it from the quantity different

Sept 27, 1811
Mr Robt Gillespie
To Hugh Alexander Dr

	£	S	D
To 2 doz wood rasps at 14/6	1	9	0
½ horn at 16/	0	8	0
	1	17	0
Advance 42½ per cent		15	8½
	2	12	8½
½ doz knit wool braces at 32/6	1	4	4½
Hfx C.	3	17	1

From Hugh Alexander to Robert Nichol

Fort Erie Nov 15 1811

Robt Nichol Esq

Dear Sir,

Enclosed you have an account of 84 pieces of your goods the whole number at this place — the articles you mentioned in your last letter shall be attended to and every article I hope sent the next turn as I shall have to send the vessel once more if the season will permit All your goods except some which

I expect for you has not yet come forward but is daily expected There is also a number of articles as you will see in your bill which I have taken the liberty to address to your care which please have stored till I can have an opportunity of taking them away The 25 bbls of salt marked E Hasbrook of Juba Storr and Co who has a store at Townsend under the direction of C Foster and Co or Mr Cayl himself you may perhaps know best as you live near them who to inform respecting them the remainder say 40 barrels more will be up next turn

From Hugh Alexander to Robert Gillespie

Fort Erie Nov 23 1811

Robt Gillespie

Dear Sir

Your kind favor of Oct 12 covering the sale of butter I rec d yesterday and feel well pleased with you sending it to the Quebec markets I find by the acct of sales one barrel of butter is yet unsold If you have not received it please enquire at Messrs Parker Gerrard Ogilvie and Co if they have sold it very well if not you will please appropriate the proceeds to my credit as before should Government purchase flour and pork this season I shall make an offer for part of mine at least However, as yet I am not certain with respect to that market as no advertisement has appeared for that purpose Butter is very scarce at this season However in the spring I shall pay strict attention to the Quality and packing of that article for your market You will in your next letter have the goodness to say what you think lard and potash will be likely to bring next spring or if saleable

Colonel William Claus reported the measures he had taken in accordance with his instructions to restrain the western Indians from beginning hostilities against United States in a letter addressed to James Brock then civil secretary to his brother the General

Fort George 9th Decr 1811

Dr Sir

I have to acknowledge the receipt of your letter of the 3rd instant

Agreeably to General Brocks desire to know what steps I had taken with the Supt of Indian Affairs at Amherstburg to use his influence with the Indians to keep them quiet I beg leave to enclose an extract from my letter to him of the 24th ulto in which I desire him to recommend to the Indians Peace and should any attack be made on them by the Americans to retire A copy of Lieut Gov Gore's letter to me of the 26th Feby last Discouraging any hostile measures on the part of the Indians was transmitted to the Supt of Ind Affairs at Amherstburg the 7th of March last with directions to pay the most particular attention to the contents I have again written to him in consequence of your letter of the 3rd by Bell,[1] the shipbuilder who left this yesterday be informed that the report of the Action on the Wabache[2] was not believed in when be left Amherstburg the 1st instant

P S The enclosed copy of a letter from Colonel Elliott which I rec'd two days ago I beg you will lay before Genl Brock dated 24th ulto

(Dominion Archives S Indian Affairs U C 1810-1813)

Some letters from the enterprising Benjamin Canby have escaped destruction

From Benjamin Canby to Charles Askin

Friend Askins

Dont delay in geting a line to york Respecting the reserve I met Holly on his way Down to Isac Sweasys He inquired of me whether the Governor had left Newark yet I informed him he had I beleave his business in getting Isaac Swesy to aply for the same land for him so that William Dixton should right immediately so as to get the start it would without a doubt put a stop to it I remain yours

BENJ CANBY

fifteen mile crick

Tues Day morning

Addressed —

To
Charles Askin
Marchant
at Queenston

(Askin Papers Canadian Archives undated probably 1811)

From Benjamin Canby to Charles Askin

Canbury 24 Oct 1811

Friend Askins

according to William Leans request I have sent the boat

---

[1] William Bell foreman or master builder of the naval yard at Amherstburg 1812 1813 [2] Generally called the battle of Tippecanoe 7th November 1811

Down which will be a convenient chance for your goods to be conveyd they brought your salt and Iron from conrons took from the mills 10 Barrels Potash please to not neglect feching up your Surveying instruments likewise a grind stone I purchasd from Squire Cowan thats if the boat will conveniently take it for it is much wanted I remain your Frend

BENJ CANBY

N B I understood from Garner from Leans that you had a man Coming up to help Down the boat but he has not arivd yet please to right to Gorge Kefer not to Delay running out the road as the overseers is Detained from working on that head until he lays it

Addressed —Charles Askin
Marchant
at Queenston

(Askin Papers Canadian Archives)

After carrying on his business for some months at Queenston Charles Askin removed to Canboro where he organized the militia of that township and Haldimand having Benjamin Canby as a subaltern As the following letter indicates he undertook the management of a mill which had been built by Canby on a small creek falling into the Chippwa

FROM JOHN CLARK TO CHARLES ASKIN

15 Mile Creek 21st Decr 1811

Dear Sir

Having understood there is a person in your employ named Rouse a Millwright — if you can possibly spare him for a week or two will you have the goodness to allow him to come down and assist in finishing a Grist Mill that I have lately purchased— I have wrote to him on the subject and trust that you will use your influence with him on my part

Hoping that you find your country residence pleasing and that we shall see you this way soon I am

yours Truly

JOHN CLARK

Charles Askin Esqe
Addressed —Mr Charles Askin
Merchant
Canborough

(Askin Papers Canadian Archives)

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NIAGARA HISTORICAL SOCIETY

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No. [illegible]

RECORDS OF NIAGARA

In the days of Commodore Grant and Lieut.-Governor Gore

1805–1811

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NIAGARA HISTORICAL SOCIETY

RECORDS OF NIAGARA

No. 42

1805 - 1811

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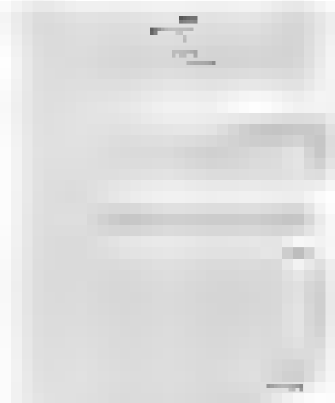

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